

NOTICE OF MEETING
PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Planning Commission of the City of St. George, Washington County, Utah, will hold a **Planning Commission** meeting in the City Council Chambers, 175 East 200 North, St George, Utah, on Tuesday, **January 13, 2015**, commencing at **5:00 p.m.**

The agenda for the meeting is as follows:

Call to Order
Flag Salute

1. **FINAL PLAT (FP)**

Consider approval of a nine (9) lot residential subdivision for “**Mulberry Estates Phase 8.**” The representative is Mr. Brad Petersen, Development Solutions. The property is zoned R-1-12 (Single Family Residential 12,000 square foot minimum lot size) and is located at 3150 South Street and 2980 East Street (in Little Valley). Case No. 2014-FP-011. (Staff – Todd Jacobsen).

2. **LOT SPLIT (LS)**

Consider approval of a lot split (that is not a part of a recorded subdivision) for “**Season’s Health.**” The representative is Mr. Bob Hermanson, Bush and Gudgell. The property is zoned PD-R (Planned Development Residential) and is located at 126 West 200 North. Case No. 2014-LRE-019. (Staff – Todd Jacobsen).

3. **ROADWAY VACTION (LRE)**

Consider approval to vacate a portion of a public street / roadway and turnaround easement for “**Marigold Way.**” A small sliver of roadway and the 45 ft turn around will no longer be required with the proposed road connection for the Final Plat for ‘Hyde Berry Park.’ Located at the west end of Marigold Way (at approximately 1300 West and 3720 South in Bloomington). Case No. 2014-LRE-020. (Staff – Todd Jacobsen).

4. **GENERAL PLAN AMENDMENTS (GPA)**

A. Consider a General Plan Amendment from LDR (Low Density Residential), MDR (Medium Density Residential), OS (Open Space), and COM (Commercial) to MDR (Medium Density Residential), PO (Professional Office), OS (Open Space), and COM (Commercial) on 105.9 acres. The property is generally located between **3000 East Street and the Virgin River and fronts on Mall Drive.** The proposal is to

support the future development of commercial, retail, professional offices, and to increase residential density. The applicant is Suburban Land Reserve, Inc. and the representative is Mr. Dan McCay. Case No. 2014-GPA-006-B. (Staff – John Willis).

- B. Consider a General Plan Amendment from GC (Golf Course) and OS (Open Space) to LDR (Low Density Residential) for three (3) separate parcels in close proximity to each other, located off of Bloomington Drive (approx. 3100 S Bloomington Drive), near the driving range, and which total 3.966 acres. The applicant is the ‘**Bloomington Country Club.**’ Case No. 2014-GPA-008. (Staff – Ray Snyder)

5. **ZONE CHANGES (ZC)**

- A. Consider a zone change from OS (Open Space) and A-1 (Agricultural) to RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) on 14.01 acres. The property is located at approximately 3900 South and Bentley Road. The project site will be referred to as “**Meadow Valley Farms Phase 9**” The applicant is Development Solutions Group, Inc. and the representative is Mr. Logan Blake, Development Solutions. Case No. 2014-ZC-017. (Staff – Ray Snyder).
- B. Consider a zone change from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on 0.50 acres to accommodate a fourplex referred to as “**Ancestor Village.**” The property is generally located at 1650 North Dixie Downs Road. The applicant is VCL Investments, LLC and the representative is Mr. Chad Van Cleve. Case No. 2014-ZC-016. (Staff – John Willis).

6. **TRAINING**

Training and discussion to cover: Title 10 Chapter 8 “Planned Development Zone” – Residential Section.

7. **MINUTES**

Consider approval of the minutes from the July 08, 2014, July 29, 2014, and August 12, 2014 meetings.

Reasonable Accommodation: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office at (435) 627-4674 at least 24 hours in advance if you have special needs.

ITEM 1

Final Plat

PLANNING COMMISSION AGENDA REPORT: 01/13/2015

FINAL PLAT

Mulberry Estates Phase 8

Case No. 2014-FP-011

Request: Approval of a 9 Lot Residential Subdivision Final Plat

Representative: Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770

Property: Located at 3150 South St. and 2980 East St. (in Little Valley)

Zone: R-1-12

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

This Final Plat is ready for Planning Commission's consideration for approval.

ITEM 2

Lot Split

PLANNING COMMISSION AGENDA REPORT: 01/13/2015

LOT SPLIT

Season's Health

Case No. 2014-LRE-018

Request: Approval of a Lot Split that is not part of a recorded subdivision

Representative: Bob Hermanson, Bush and Gudgell
205 E. Tabernacle St., Suite 4
St. George, UT 84770

Property: Located at 126 West 200 North

Zone: PD-R

Staff Comments: The applicant is requesting this Lot Split in order to get financing on the new building. They cannot get financing with the old and new building being located on the same lot. So they are asking to split this Lot between the buildings to create Parcel 1 and Parcel 2.

All aspects of this Lot Split were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the conditions and approvals.

This Lot Split is ready for Planning Commission's consideration for approval.

ROBERT R. HERMANDSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE OF REGISTRATION (LICENSE) NUMBER 6362432, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER'S I HAVE SUPERVISED A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW TO BE HEREAFTER KNOWN AS:



DATE: _____
 LUSH AND GUDGELL INC.

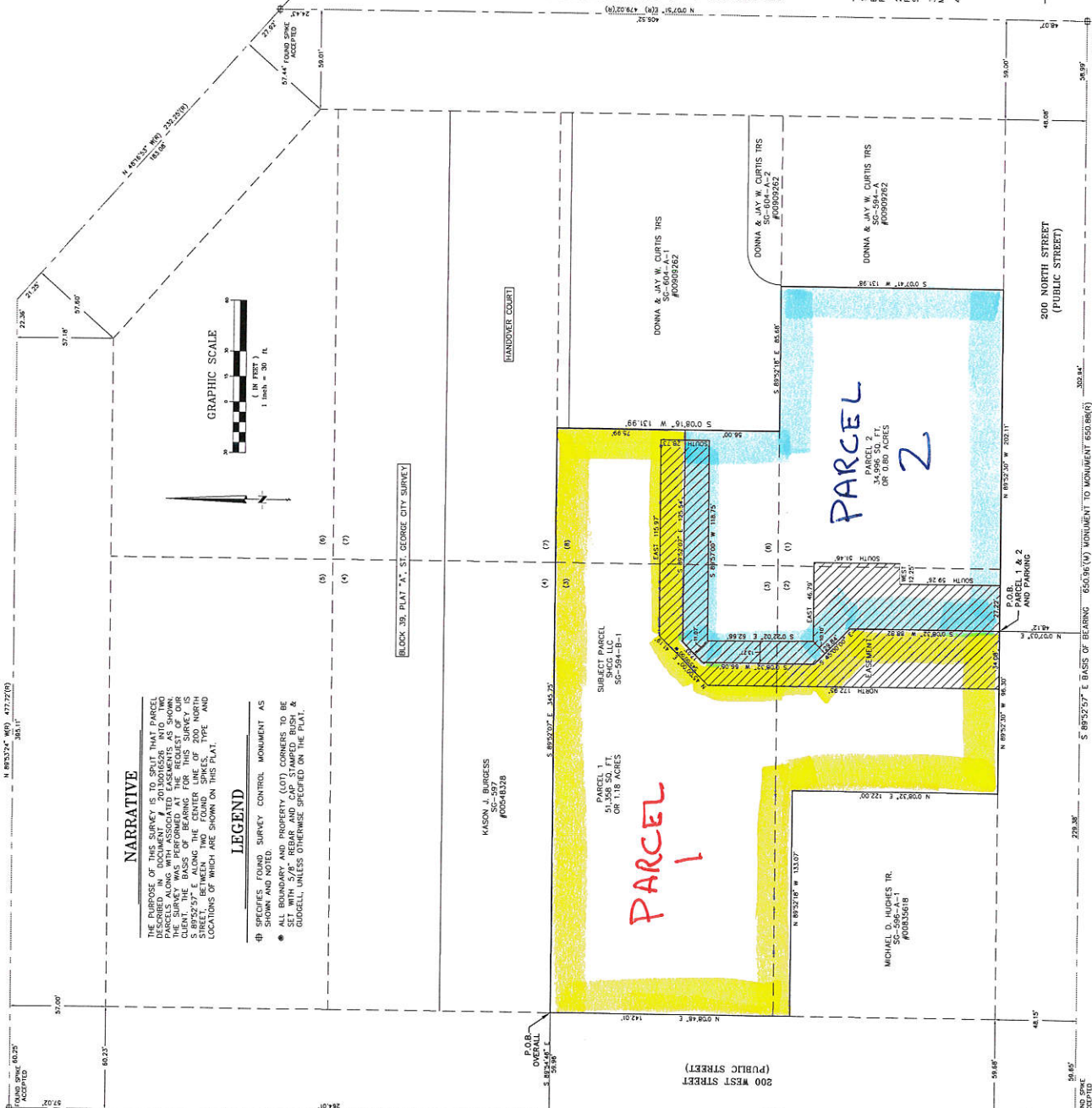
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SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 15 WEST,
SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 16 WEST,
SALT LAKE BASE AND MERIDIAN

LOCATED IN _____

PREPARED FOR: _____

SHCG 11.C.



ITEM 3

Public Street/Roadway/Easement Vacation

PLANNING COMMISSION AGENDA REPORT: 01/13/2015

PUBLIC STREET/ROADWAY/EASEMENT VACATION

“Marigold Way” and a 45.00 Foot Turn Around Easement

Case No. 2014-LRE-020

Request: Approval to vacate a portion of a Public Street/Roadway and Turn Around Easement

Representative: Brandon Anderson, Rosenberg Associates
352 E. Riverside Drive #A2
St. George, UT 84790

Property: Located at the west end of Marigold Way (at approximately 1300 West and 3720 South, in Bloomington)

Zone: R-1-10

Staff Comments: The purpose of this Public Street/Roadway Vacation is to plan for the future road that will be located in the proposed Hyde-Berry Park Final Plat Subdivision. We will be vacating a small sliver of the road to begin a curve to the west to smooth out the roadway so there are no jogs in it. Also there is a 45.00 Foot “Turn Around Easement” at the end of this street that also needs to be vacated. This easement was put into place until the future road connected through to the west, which is part of the Final Plat for Hyde-Berry Park Subdivision. This provided a place for vehicles to turn around at the end of the dead end street.

All aspects of this Public Street/Roadway and Turn Around Easement Vacation were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the conditions and approvals.

This Public Street/Roadway and Turn Around Easement Vacation is ready for Planning Commission’s consideration for approval.

DATE: 12/10/14
 JOB NO.: 509-13-001
 DRAWN BY: BEA
 DESIGNED BY: BEA
 SCALE: 1"=60'
 DWG: EXHIBIT-ABAND

DATE	REVISIONS

ROSENBERG
 ASSOCIATES
 CIVIL ENGINEERS • LAND SURVEYORS



352 EAST RIVERSIDE
 DRIVE, SUITE A-2 ST.
 GEORGE, UTAH 84790
 PH (435) 573-8586
 FX (435) 573-8397
 WWW.RACIVIL.COM

EXHIBIT MAP

SHEET

1

OF 1 SHEETS

BANEBERRY DRIVE

T 3

LOT 2

LOT 1

LOT 13

WINEGER SUBDIVISION

BLOOMINGTON
 GARDENS NO. 2

EXHIBIT "B"
 45.0' TURN AROUND
 EASEMENT TO BE
 ABANDONED

EXHIBIT "A"
 AREA OF
 ROADWAY TO BE
 ABANDONED

LOT 18

MARIGOLD WAY

LOT 19

LOT 20

LOT 21

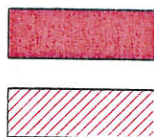


EXHIBIT "A"

EXHIBIT "B"



ITEM 4A

General Plan Amendment

PLANNING COMMISSION AGENDA REPORT: 12/09/2014

PLANNING COMMISSION AGENDA REPORT: 01/13/2015

GENERAL PLAN AMENDMENT: PUBLIC HEARING

Property Reserve, Inc for 105.9 acres

Case No. 2014-GPA-006B

Request: To amend the General Plan from LDR (Low Density Residential), MDR (Medium Density Residential), OS (Open Space), and COM (Commercial) to MDR (Medium Density Residential), PO (Professional Office), OS (Open Space), and COM (Commercial) on 105.9 acres. The property is generally located between 3000 East Street and the Virgin River and fronts on Mall Drive. The proposal is to support the future development of commercial, retail, professional offices, and to increase residential density.

Applicant: Suburban Land Reserve, Inc.

Representative: Dan McCay
Suburban Land Reserve, Inc.

Area: Approx. 105.9 acres

Property: Located between 3000 East Street and the Virgin River and fronts on both sides of Mall Drive.

Current Zones: Agricultural (A-20) (Agricultural 20 acre minimum lot size)

Current General Plan: Commercial (COM), Medium Density Residential (MDR), Open Space (OS), and Low Density Residential (LDR)

Proposed General Plan: Commercial (COM), Professional Office (PO), Open Space (OS), and Medium Density Residential (MDR)

Previous Action: On December 9, 2014, the Planning Commission voted to recommend approval for the proposed commercial land use designation on the south intersection of Mall Drive and 3000 East. The remaining portion of the proposal was tabled by the Planning Commission with the direction to address the expressed concerns. As a result, the applicant resubmitted a new proposal.

Process:

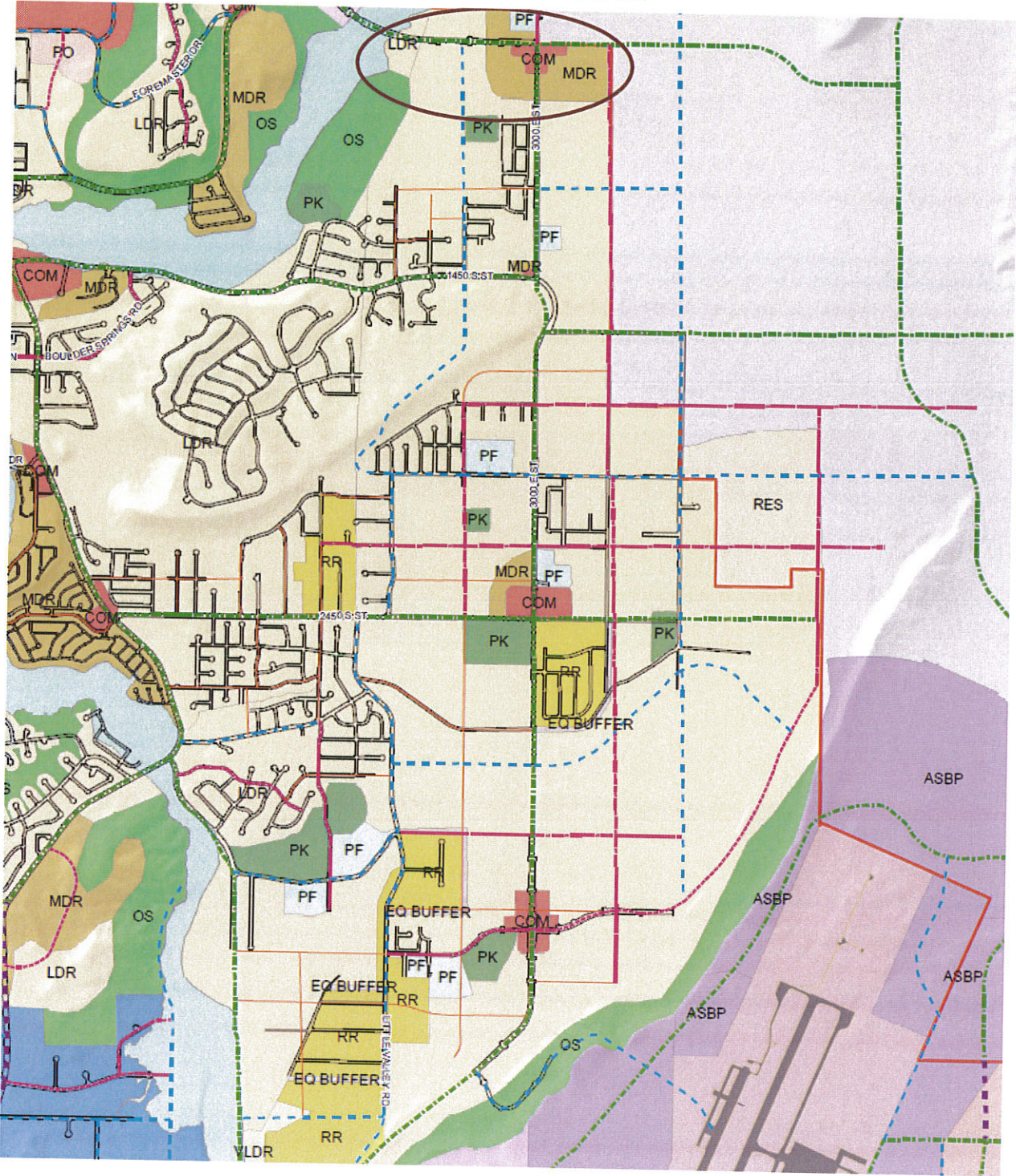
The Planning Commission is responsible for recommending to the City Council a General Plan for the City, or any amendments to an approved General Plan. The General Plan is a guide for land use decisions and contains various policies to help direct decisions related to land use and development of the City.

Comments:

1. The introduction and extension of Mall Drive has induced the desire for uses that are not supported by the current General Plan. The proposed application has approximately 2.5 acres of commercial property with frontage planned on two arterial streets (3000 East & Mall Drive). In addition, approximately 16.8 acres of Professional Office adjacent to the existing single family residential is being proposed.
2. The proposed additional commercial area on the north would be an expansion of the commercial node shown on the General Plan Land Use Map for the area.
3. The City General Plan (policy # 6.5.5) supports Neighborhood commercial centers at appropriate locations along arterial streets to reduce the need for cross-town travel. Neighborhood commercial developments should have stores (products & services), which cater to neighborhood related needs. However, the size and type of commercial uses are zoning decisions rather than General Plan issues.
4. In the General Plan Table 6-3 regarding Professional Office (PO), it states that PO is often used as a buffer between residential and commercial or industrial uses. The proposed PO supports Administrative and Professional (A-P) Zoning classification, which is generally limited to business and medical offices. A-P adjacent to residential, often has less of an impact than other commercial uses, given they are generally closed in the evening and weekends.
5. The applicant is proposing approximately 77 acres of MDR, located on the south side of Mall Drive. The proposed MDR is mostly existing and only expanding to the east along Mall Drive. Generally, in the Little Valley area, commercial has been buffered by MDR and graduated out to LDR (Low Density Residential). According to the Little Valley Sub Area Plan 5.4 Policies for Development In Little Valley: 14. densities shall "feather", or transition, in a gradual pattern with higher densities in neighborhood centers. Given the commercial at the intersection and the proposed location of MDR, the request is consistent with the Little Valley Sub Area Plan.

6. Floodplain & Erosion Hazard Issues: Currently, a portion of the property south of Mall Drive has the General Plan Land Use Category of FP (Open Space (OS) – Flood Plain) and is located within the 100 year floodplain boundary. The applicant is slightly modifying a portion of the OS that is not located in the floodplain. North of Mall Drive, portions of the property are located within the floodplain and has a Low Density Residential Designation. The applicant is proposing to change property located in the floodplain to OS. The OS designation for the floodplain is consistent with the General Plan goals regarding floodplains. The Erosion Hazard Boundary is located along the east portion of the property. Future projects will be required to mitigate the Erosion Hazard Boundary and provide protection against erosion.
7. Traffic Circulation: The extension of Mall Drive across the Virgin River and connecting to 3000 East Street in the Washington Fields area has made the subject property prime for development. Mall Drive and 3000 East are both master planned 4-5 lane arterial streets. Improvements will be built as development of the subject property proceeds.

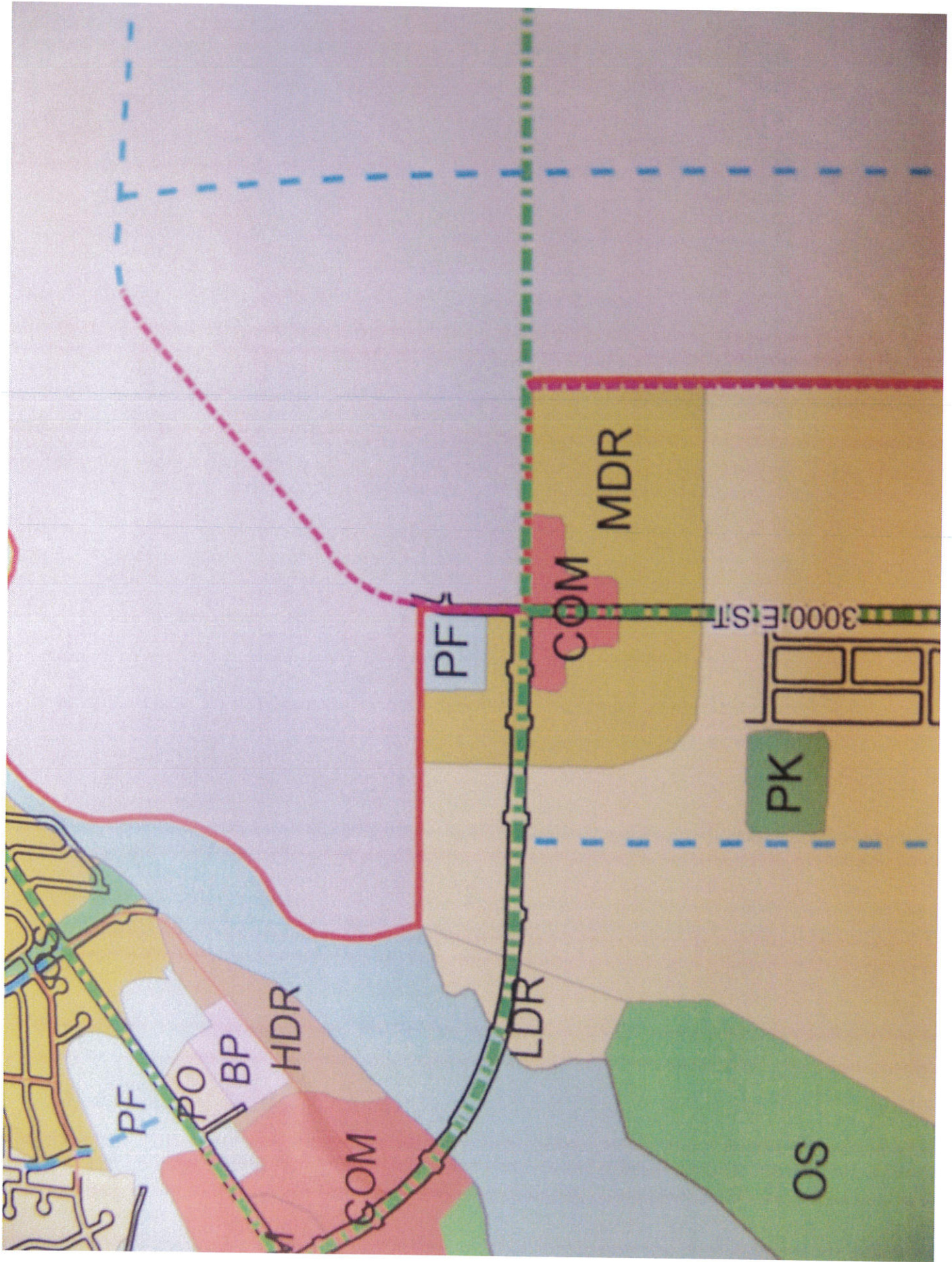
Current General Plan

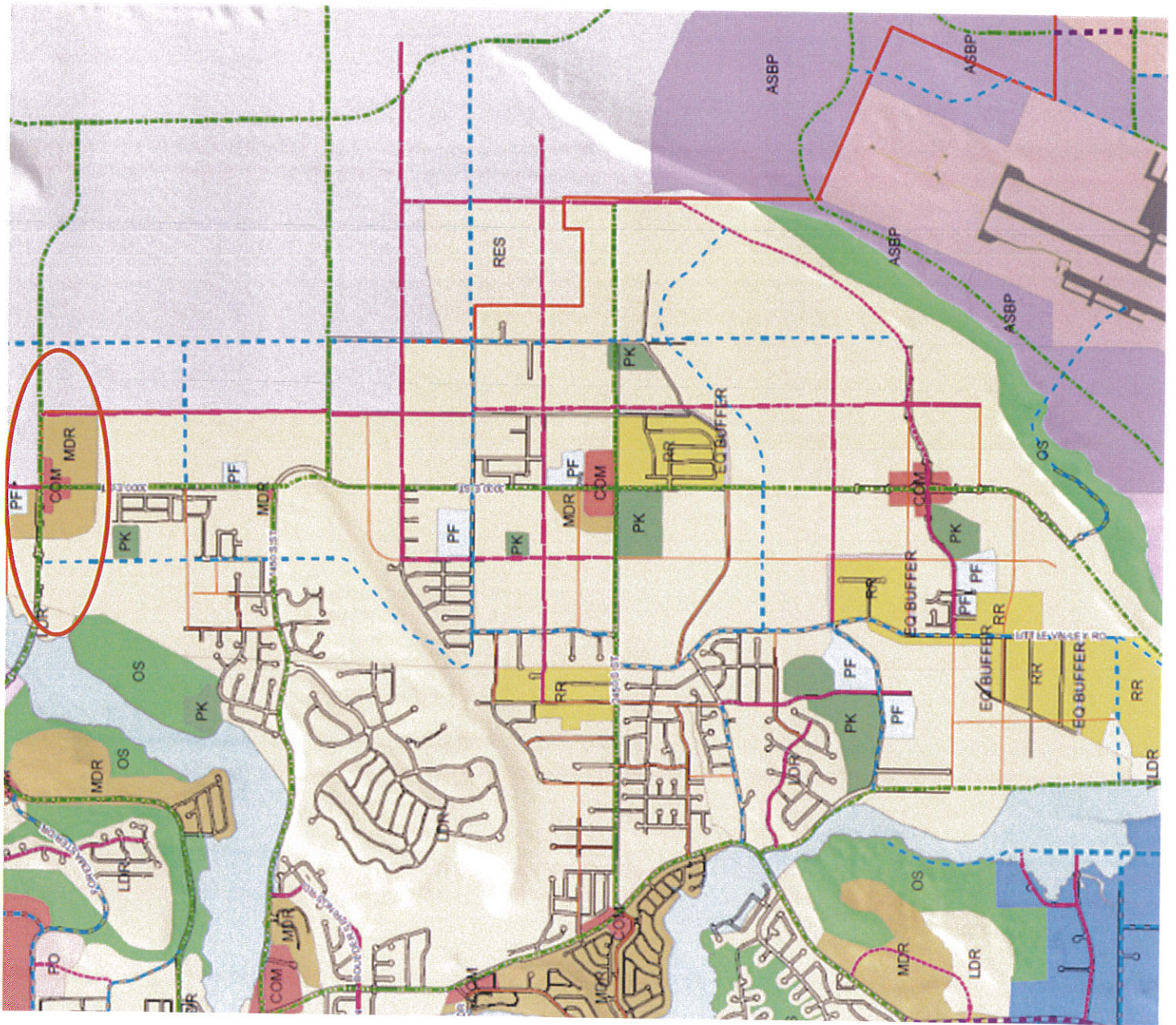


Applicant Proposal



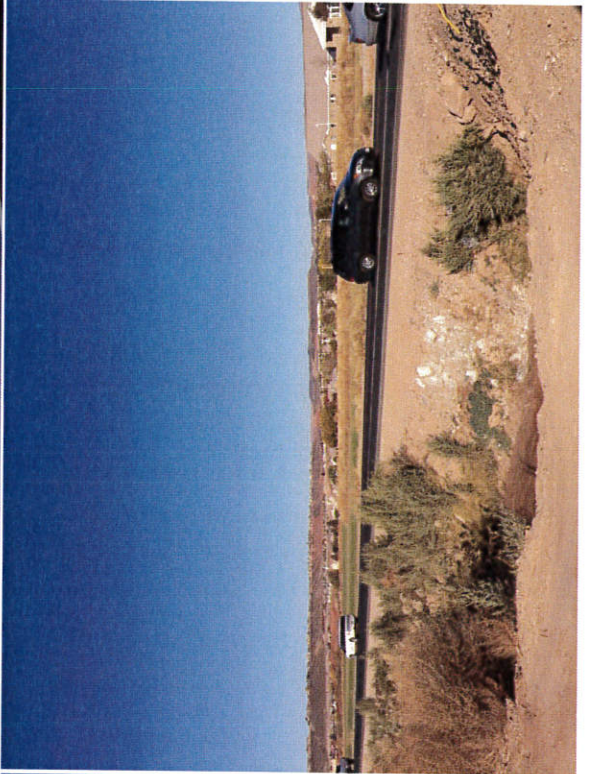
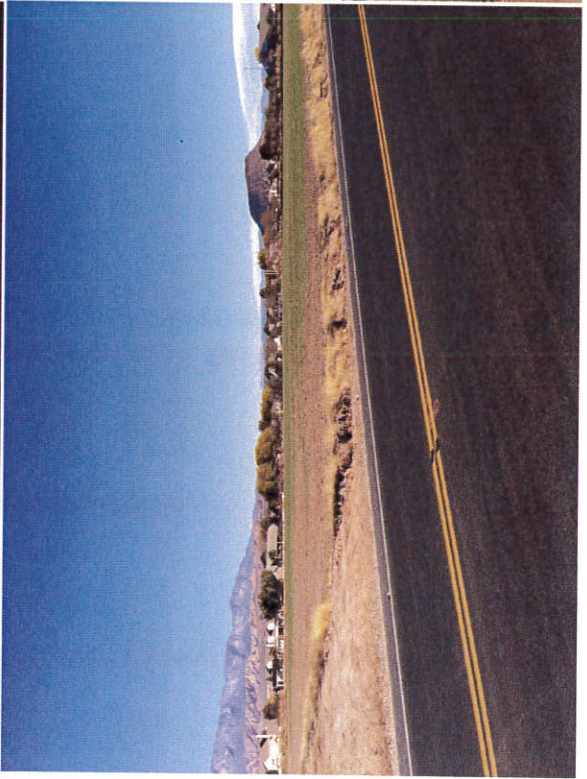
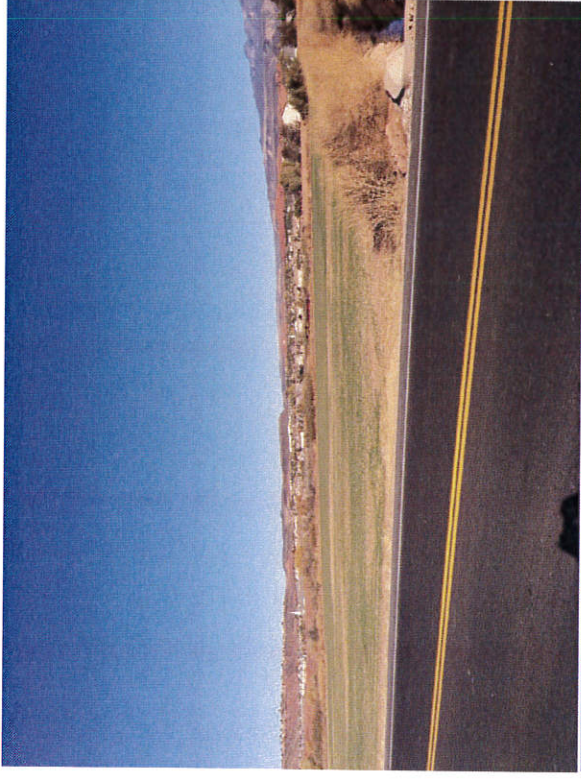




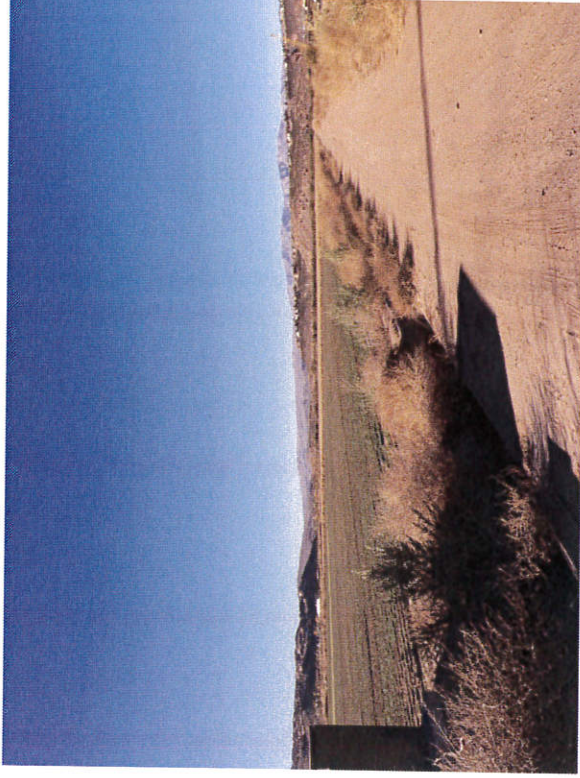


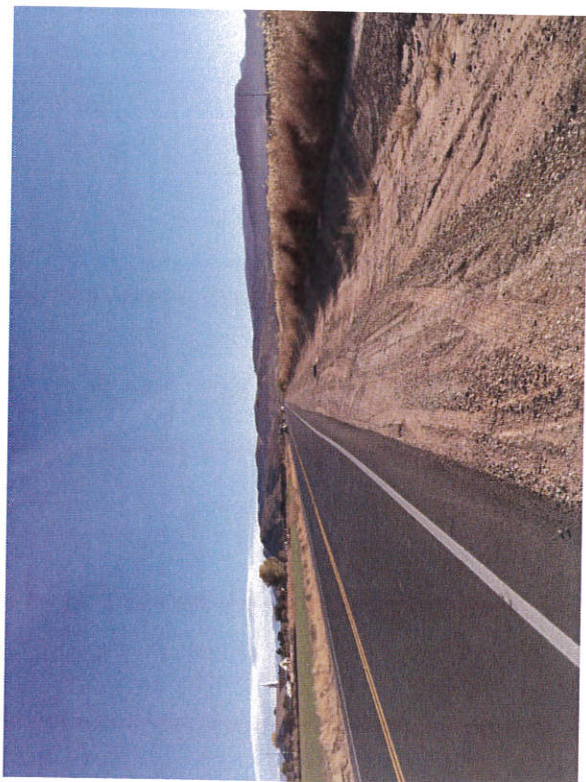


North of Mall Drive



South of Mall Drive





**GENERAL PLAN AMENDMENT
APPLICATION & CHECKLIST**



ZONE CHANGE REQUESTS WHICH ARE NOT CONSISTENT WITH THE GENERAL PLAN
SHALL SUBMIT THIS APPLICATION TO THE COMMUNITY DEVELOPMENT DEPARTMENT

I. PROPERTY OWNER(S) / APPLICANT & PROPERTY INFORMATION

LEGAL OWNER(S) OF SUBJECT PROPERTY: Property Reserve, Inc.

MAILING ADDRESS: PO BOX 51196 SLC, UT 84151-1196

PHONE: _____ CELL: _____ FAX: _____

APPLICANT: Suburban Land Reserve, Inc.
(If different than owner)

MAILING ADDRESS: 79 S. main st. Suite 500 SLC, UT 84111

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): _____

CONTACT PERSON / REPRESENTATIVE: Dan McCay
(i.e. Developer, Civil Engineer, Architect; if different than owner)

MAILING ADDRESS: _____

PHONE: (801) 321-7535 CELL: (801) 560-0400 FAX: _____

EMAIL ADDRESS(ES): dmccay@slreserve.com

A general description of the property location is as follows: (Give approx. street address, general location etc., and attach a vicinity map or property plat showing the subject property(s) and the surrounding areas.) **Include a 24"x 36" (Arch D - paper size) site plan, highlighting the subject property(s) to be changed, suitable for presentation in public meetings.** Fronting Mall Dr. between 3000 East & the Virgin River.

The General Plan Amendment becomes effective on the hearing date if approved by the City Council. General Plan Amendment hearings are held only four (4) times per year (typically the 1st meeting of the month). A meeting will be scheduled for a Planning Commission hearing in one of the following months: January, April, July, & October.

FOR OFFICE STAFF USE ONLY

CASE #: 2014-GPA-004 FILING DATE: 11/21 RECEIVED BY: [Signature] RECEIPT #: _____

*FEE: \$500 (Filing fee and 1st acre) + \$50.00 per ac for 2-100 ac and \$25 per ac 101-500 and \$10.00 per ac 501-plus

II. ADDITIONAL INFORMATION

Provide the following information: (Attach additional sheets if necessary)

1. What is the present zoning on the property? A-20
2. What is the current General Plan designation of the property or area? LDR, MDR, COM
3. What is the proposed General Plan designation for the property or area? HDR, MDR, COM
4. What is the purpose for amending the General Plan? (e.g. describe the proposed project) Increase Commercial area for commercial retail center and medical professional offices. Increase MDR to transition from commercial to surrounding LDR. & proposed HDR along the Virgin River.
5. How will the proposed project affect adjoining properties? North: Single Family Residence. In Washington City. South: Existing field, general plan = LDR. East: 3000 East Street West: Virgin River
6. Total acreage of the proposed General Plan change: 121.6
7. Does the subject area/property contain any slopes above 20%, floodplains, or wetlands? If so, please describe: Portions of the property lie within the 100 yr. flood plain. To the west portions of the property may be considered wetlands.
8. Has a Traffic Impact Study or Traffic Analysis been completed to determine any traffic impacts?
Yes _____ No X
*IF YES, submit the Traffic Impact Study with the application for review by Traffic Engineering.
IF NO, a Traffic Impact Study (TIS) may be required (if determined necessary at Planning Staff Review) to be submitted with this General Plan amendment application or a later Zone Change application.*
8. Will any Master Planned roads be affected by this General Plan Change? no
9. Are neighborhood meetings needed to consider the proposed amendment to the General Plan?
Yes _____ No X If yes, please explain: _____

10. Is the necessary utility capacity available (water, power, sewer and drainage) to serve the zone change parcel? Yes X No _____

Please describe the projected demand for utility services: Existing utility infrastructures are in mall Dr. & 3000 East. Connections will be coordinated with construction plans.

III. SUBMISSION CHECKLIST FOR GENERAL PLAN AMENDMENT

(A COMPLETE GENERAL PLAN AMENDMENT APPLICATION MUST BE SUBMITTED A **MINIMUM 6 WEEKS** PRIOR TO A REGULARLY SCHEDULED PLANNING COMMISSION HEARING IN JANUARY, APRIL, JULY, & OCTOBER)

Development/Project Name (if applicable) _____

(Project name must be previously approved by the Washington County Recorder & City Planning Department)

Developer/Property Owner Suburban Land Reserve

Phone No. 801-321-7535

Contact Person/Representative Dan McElroy

Phone No. 801-560-0400

Licensed Surveyor (if applicable) _____

Phone No. _____

GENERAL PLAN AMENDMENT PROCEDURE

Step #1 **Meet with Planning Staff Review (PSR) – Meets every Tuesday at 8:30 a.m. Call* Community Development at 627-4206 to be scheduled for this meeting.**

**Note: Call at least one day in advance to schedule.*

Step #2 **Document Submission Checklist***

**Note: This application will be considered incomplete without the following documents*

- ☐ This General Plan Amendment application form completed and signed by all owners;
- ☐ Appropriate Filing Fee **Filing Fee:** \$500 (filing fee and 1st acre) + \$50.00 per acre for 2-100 acre **and \$25 per acre 101-500 and \$10.00 per acre 501-plus**
- ☐ County ownership plat with the boundary of the proposed general plan amendment outlined;
- ☐ List of property owners within **500' feet** and **two sets** of mailing labels;
- ☐ **Radius Map** of property owners within 500' feet;
- ☐ Site Plan showing the area to be changed highlighted – minimum size 24" x 36" (Arch D);
- ☐ 8-1/2" x 11" reduction of the site plan;
- ☐ An **electronic copy** (CD or E- mail) of the site plan in JPEG, TIFF or PDF format.

Step #3 Planning Commission and City Council Hearings

Planning Commission public hearings are heard on the 2nd and 4th Tuesday of the month at 5:00 p.m. The application, a site plan highlighting the area of the proposed change, and a County ownership Plat must be complete and submitted at least 6 weeks prior to the hearing. Incomplete or inaccurate applications **will not** be accepted or scheduled. City Council sets a public hearing date after a recommendation for approval from the Planning Commission, and then there is a 14-day advertising period prior to the public hearing. City Council usually meets on the 1st and 3rd Thursdays of the month

Hearing Dates:

Planning Commission _____
City Council Set Date _____
City Council Hearing Date _____
Council Action _____

Filing Fee: \$500 (filing fee and 1st acre) + \$50.00 per acre for 2-100 acre and \$25 per acre 101-500 and \$10.00 per acre 501-plus

IV. APPLICANT AGREEMENT

We the undersigned applicant(s) _____
(is)(are) the owner(s) _____
or (agent) of the following property(s) and request the General Plan Amendment change as described above.

Signature

Address

Signature

Address

Signature

Address

Signature

Address

Signature

Address

Signature

Address

Attach additional sheets if necessary for additional owners.

Z:\Common\GP Amendments\GP Application\General Plan Amendment Application_REV-04-30-2009.doc

Revised 04/30/2009

ITEM 4B

General Plan Amendment

PLANNING COMMISSION AGENDA REPORT: 01/13/2015

GENERAL PLAN AMENDMENT: PUBLIC HEARING

Bloomington Golf Course

Case No. 2014-GPA-008

Request: To amend the General Plan from GC (Golf Course) and OS (Open Space) to LDR (Low Density Residential) on approximately 3.996 acres. The property is generally located at 3100 South on Bloomington Drive near the Driving Range. The proposal is to support the future development of residential properties.

Applicant: Bloomington Country Club

Representative: Reid Pope, L.R. Pope Engineering

Area: Approx. 3.996 acres

Property: Three (3) separate parcels are proposed to be designated for low density residential use and are located in close proximity to each other off of Bloomington Drive near the Club House and Driving Range (*at approximately 3100 South Bloomington Drive*).

Current Zones: OS (Open Space)

Current General Plan: GC (Golf Course) and OS (Open Space)

Proposed General Plan: LDR (Low Density Residential)

Process: The Planning Commission is responsible for recommending to the City Council a General Plan for the city, or any amendments to an approved General Plan. The General Plan is a guide for land use decisions and contains various policies to help direct decisions related to land use and development of the city.

Comments:

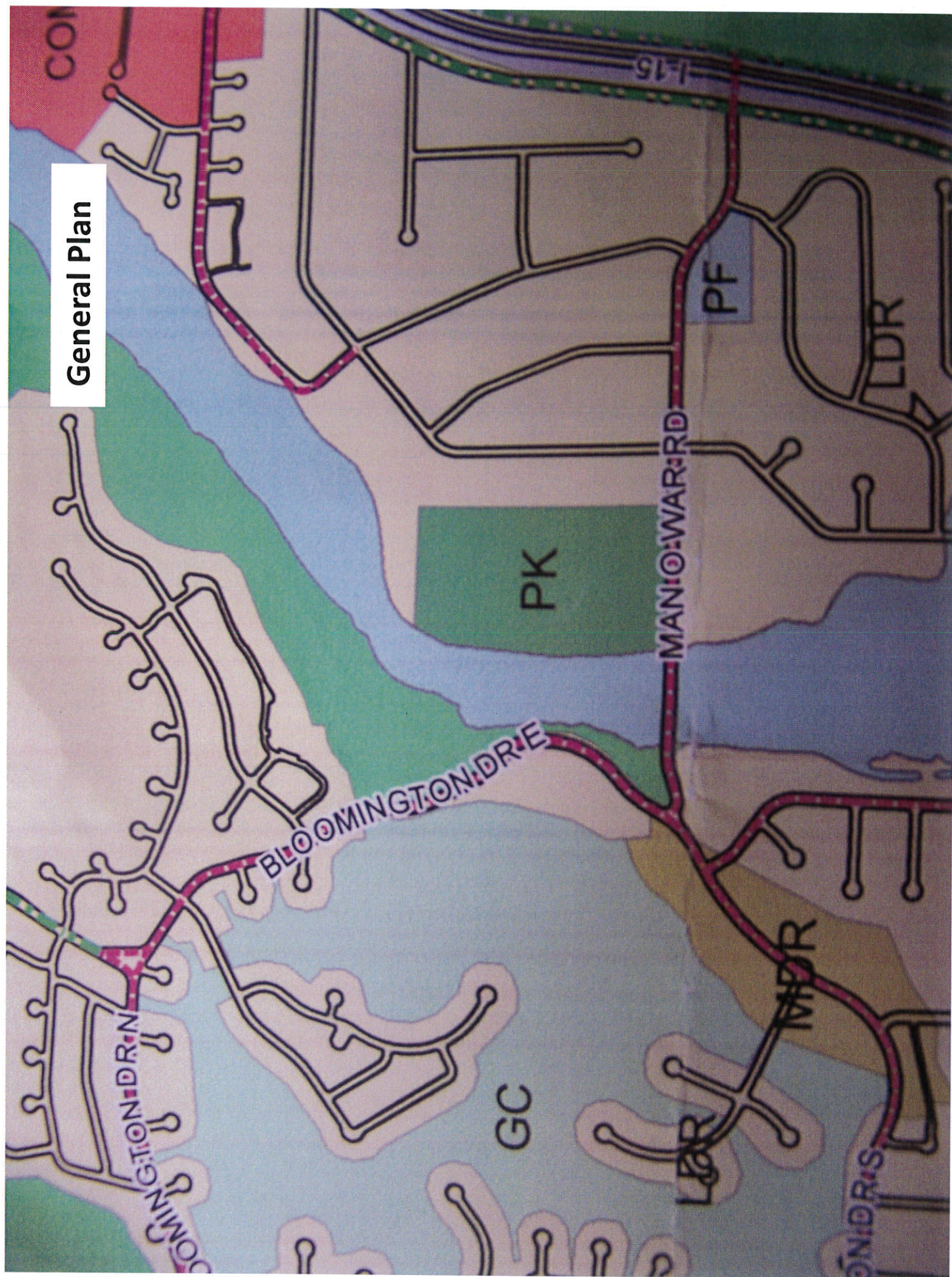
1. The Country Club has identified portions of the Golf Course which are deemed no longer necessary for golf course operation and which could be converted into residential land use.
2. The City's General Plan, Section 6 "Land Use" (# 6.2.1 "General Land Use Policies") and 6.3 "Residential Land Use" appears to be in harmony and supportive of this proposal.

3. LDR (Low Density Residential) allows a density range of 2.1 to 4 dwelling units per acre.
4. Floodplain & Erosion Hazard Issues: It appears that the proposed properties will be located outside of the floodway and 100 year flood boundary (see graphics).
5. Traffic circulation: This is a General Plan Amendment, and if approved the applicant will need to return in the future with a zone change. After a zone change, the future developer will need to submit a Preliminary Plat and then a Final Plat. Once a future plat is submitted, then acceptable traffic access onto Bloomington Drive will need to be discussed and determined by the City's Traffic Engineers.

Zoning



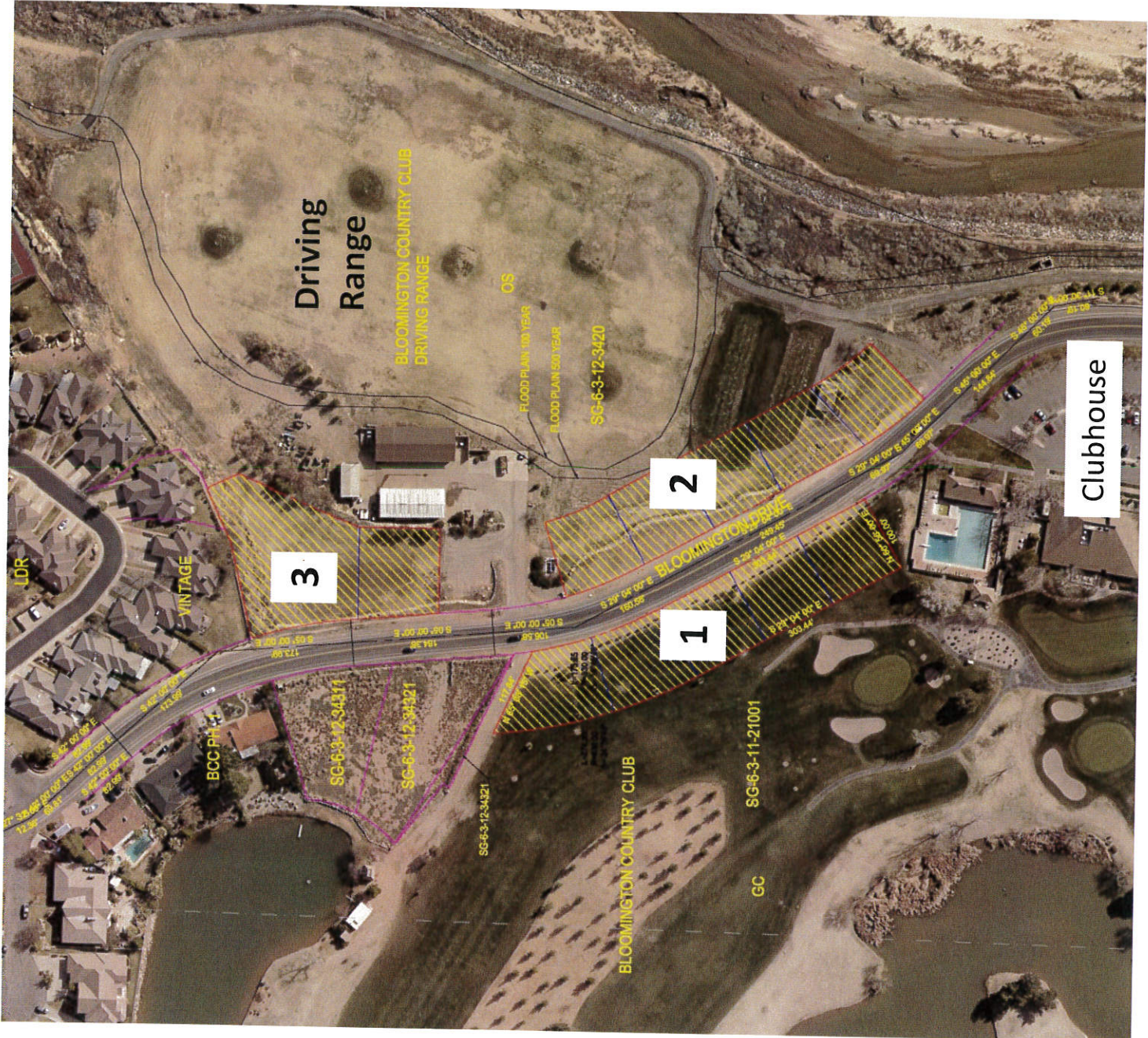
General Plan



General Plan
Changes
Requested







Driving Range

BLOOMINGTON COUNTRY CLUB
DRIVING RANGE

OS

FLOOD PLAIN 100 YEAR
FLOOD PLAIN 500 YEAR

SG-6-3-12-3420

2

1

3

Clubhouse

VINTAGE

BCC PH 1

SG-6-3-12-34311

SG-6-3-12-34321

SG-6-3-12-34321

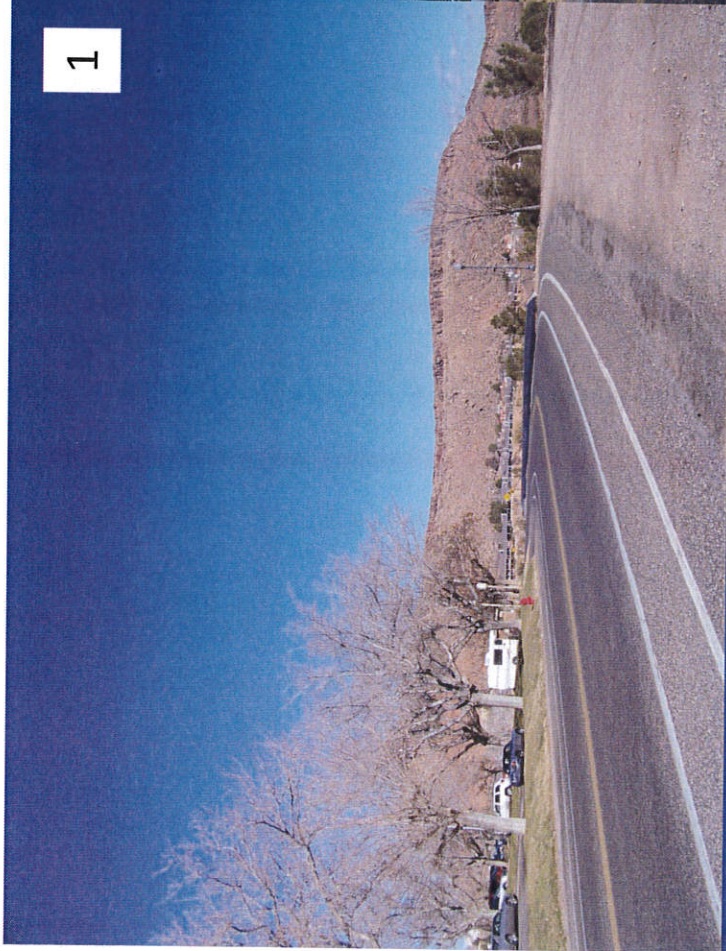
BLOOMINGTON COUNTRY CLUB

SG-6-3-11-21001

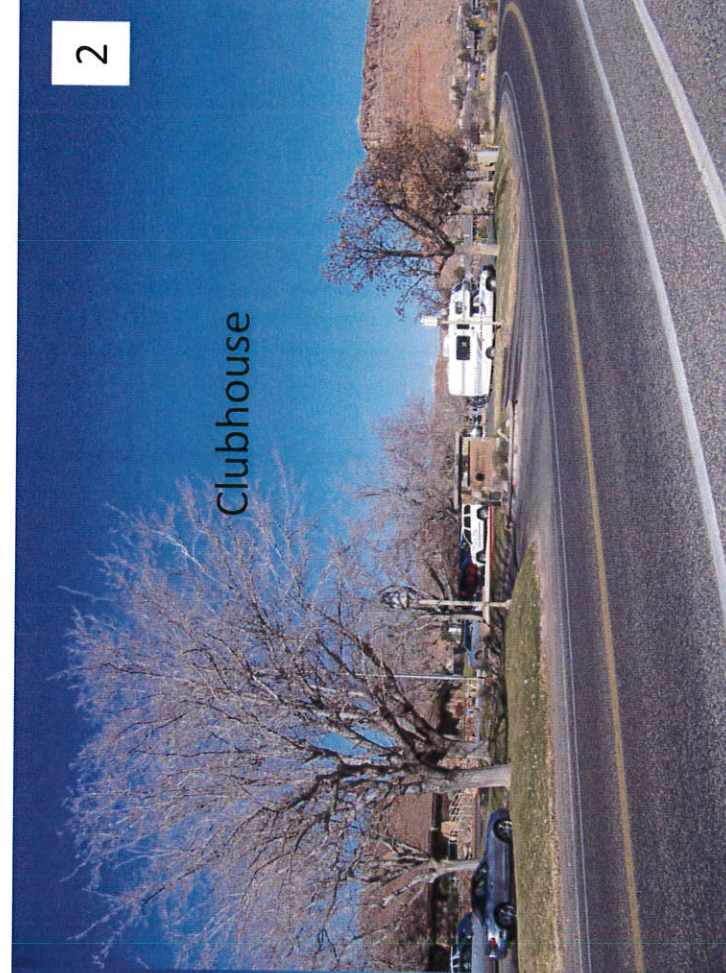
GC





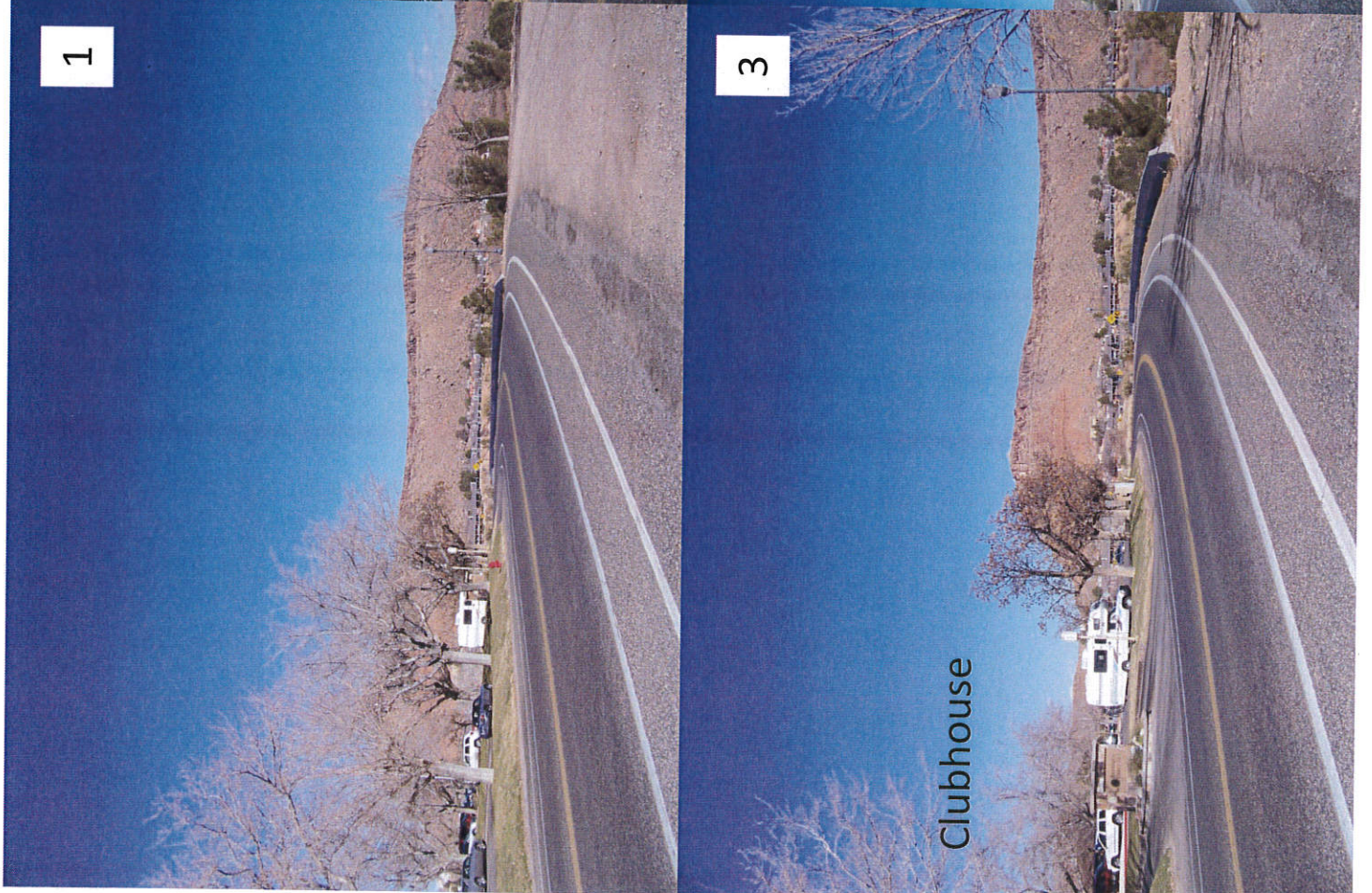


1



Clubhouse

2

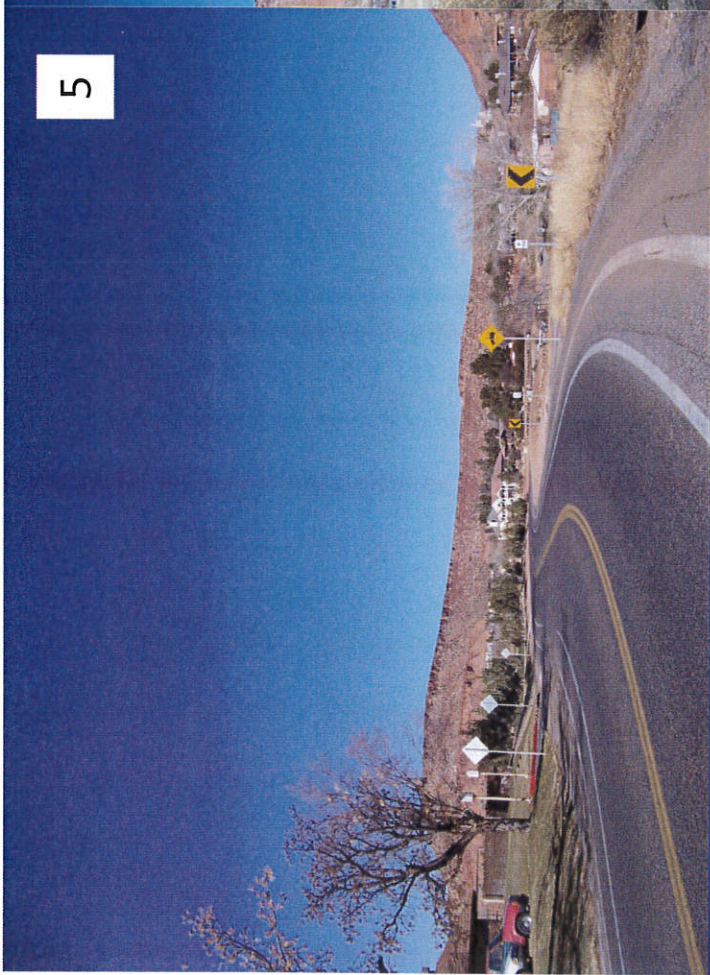


Clubhouse

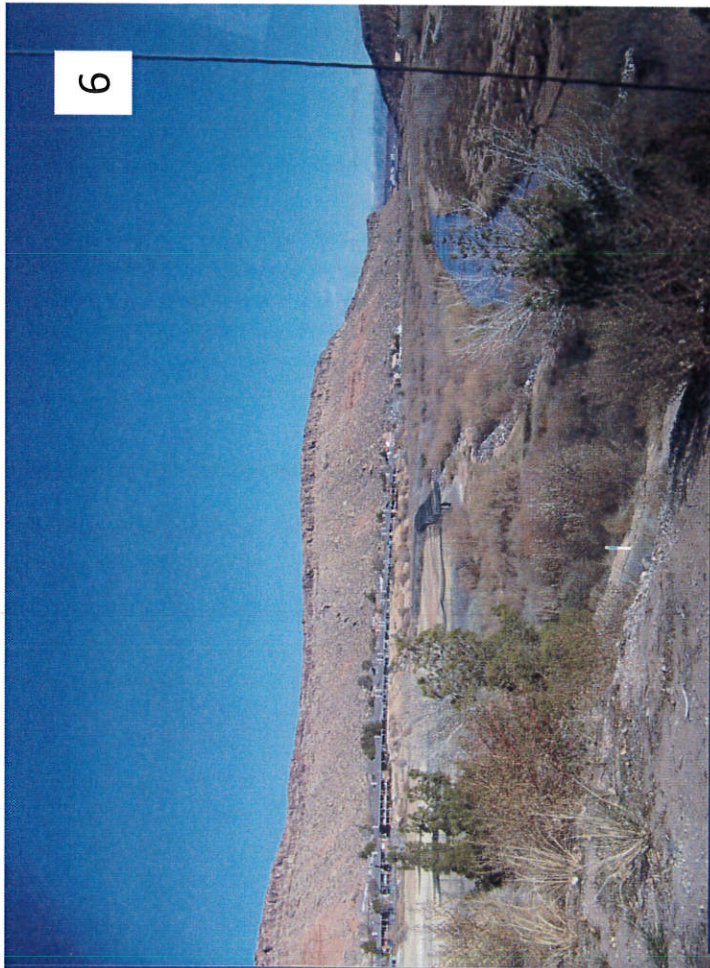
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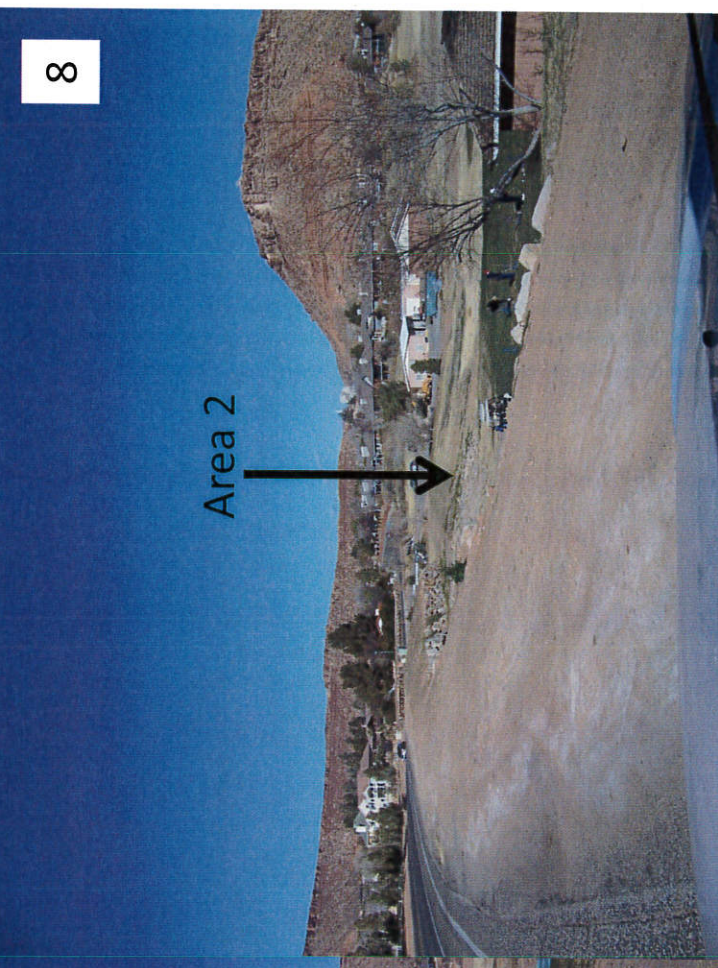
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6



7



8

Area 2

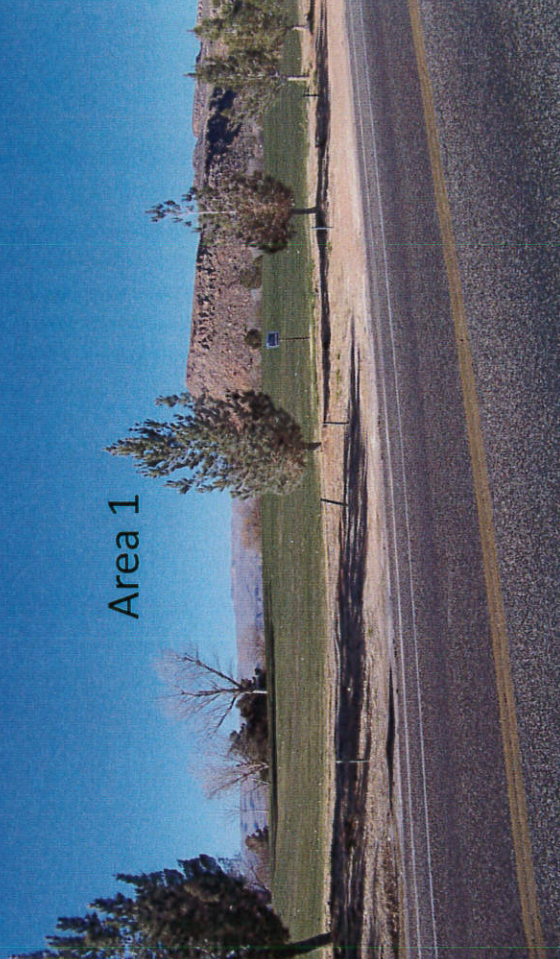
9

Existing Driving Range
(East side)



10

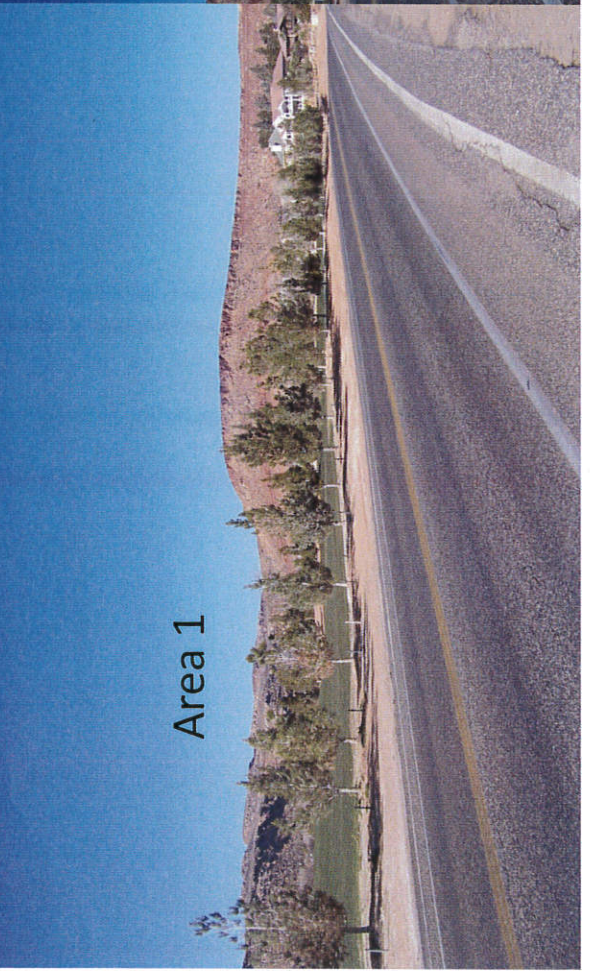
Golf Course
(West side)



Area 1

11

Golf Course
(West side)



Area 1

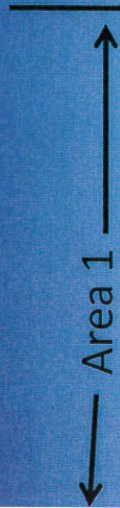
12

Area 2



Golf Course
(West side)

13



Golf Course
(West side)

14



(East side)

15

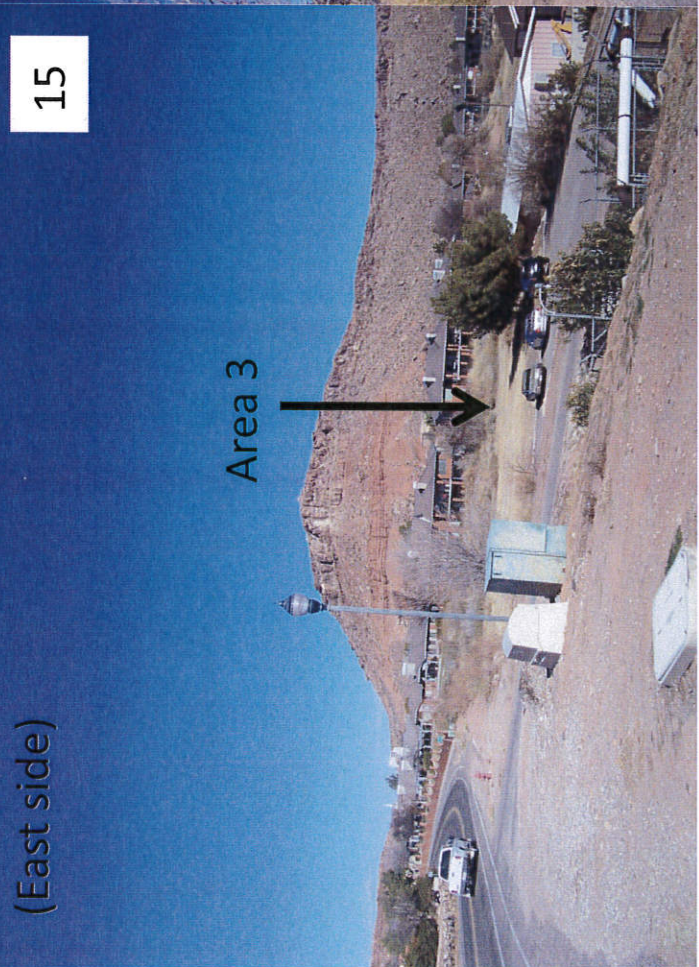
Area 3



Area 3

(East side)

16



ITEM 5A

Zone Change

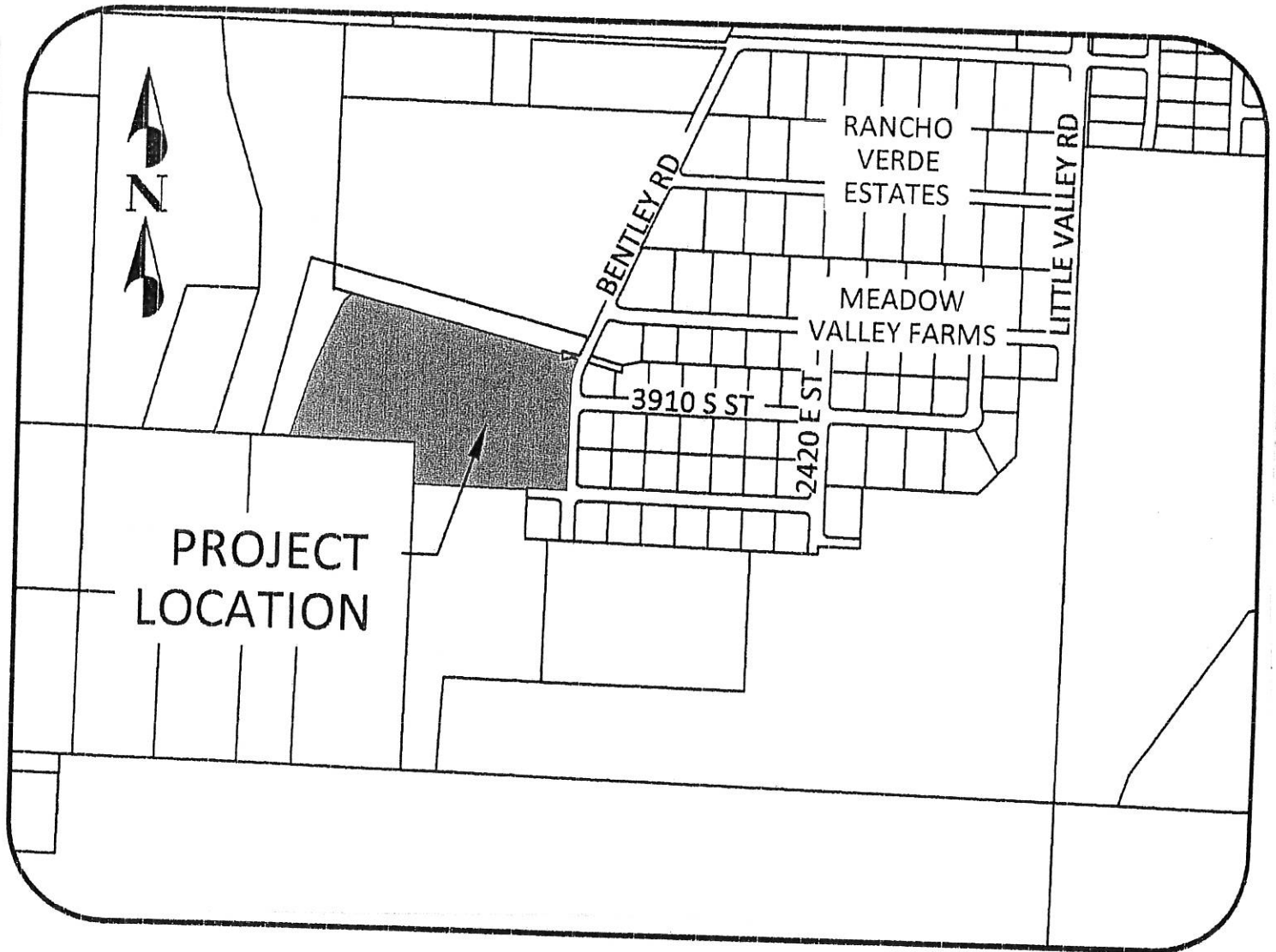
PLANNING COMMISSION AGENDA REPORT: 01/13/2015

ZONE CHANGE

Meadow Valley Farms Ph 9

Case No. 2014-ZC-017

Request:	To rezone from OS (Open Space) and A-1 (Agricultural) to RE-20 (Residential Estate 20,000 sq. ft. minimum lot size).
Applicant:	Development Solutions Group, Inc
Representative:	Mr. Logan Blake
Area:	14.01 acres
Current Zone(s):	OS & A-1
General Plan:	LDR (up to 4 du/ac)
Location:	Located at approximately 3900 South and Bentley Road.
Adjacent zones:	North: A-1 & OS East: RE-20 South: OS & RE-20 West: OS & M-1
Project:	This zone change if approved would allow for the future submittal of a preliminary plat for a residential subdivision plat.
PSR:	December 2, 2014
Notice:	Notice letters were sent to property owners within a 500 ft. radius and notice was posted in four (4) public places [on the City website, State website, and on two (2) bulletin boards in the City].
Comments:	Staff finds that this change is in harmony with the current General Plan of this area and Staff recommends approval.

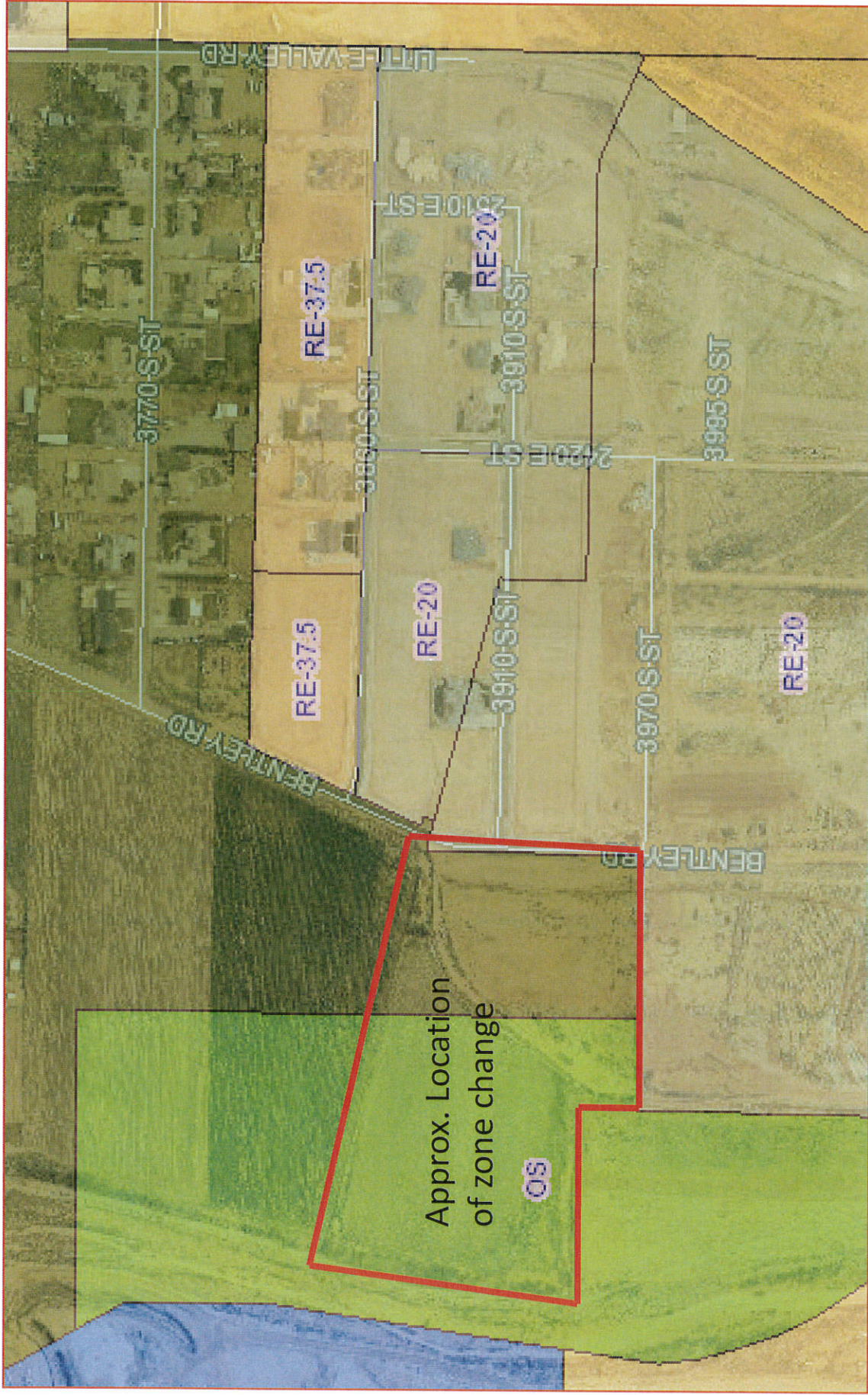


VICINITY MAP





Zoning



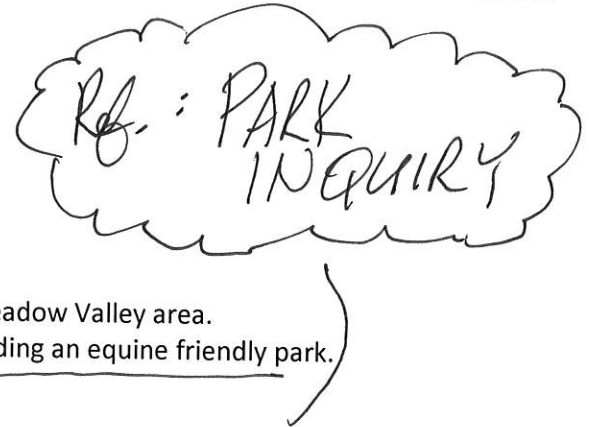
Zoning



Floodway & 100 year flood

Ray Snyder

From: Genna Singh
Sent: Tuesday, January 06, 2015 11:06 AM
To: email2paula@gmail.com
Cc: Ray Snyder
Subject: FW: Zone change notice-Meadow Valley



Paula,

Please see the correspondence from Mark below regarding parks in the Meadow Valley area.
I will be sure forward your suggestion onto our Planning Commission regarding an equine friendly park.

Genna Singh

Planning Associate

City of St. George | Planning & Zoning

435-627-4206

genna.singh@sgcity.org

From: Mark Goble

Sent: Tuesday, January 06, 2015 10:58 AM

To: Genna Singh

Subject: RE: Zone change notice-Meadow Valley

Genna,

Currently there is not a park planned for the area Paula is describing. The closest existing park is Silkwood Park which Paula mentioned. There are future parks in discussion at two other locations: Southeast corner of Crimson Ridge Drive and 3000 East and another location south of the Banded Hills and 3000 East intersection. The Banded Hills location is about $\frac{3}{4}$ of a mile from the Meadow Valley Phase 9 area.

Thanks,

Mark Goble, PLA

Landscape Architect - Park Planning Division

390 North 3050 East

St. George, Utah 84790

Phone: 435.627.4540



From: Genna Singh

Sent: Tuesday, January 06, 2015 10:07 AM

To: Mark Goble

Subject: FW: Zone change notice-Meadow Valley

Mark,

Will you help me answer Ms. Smith? She wants to know about parks in the Meadow Valley area.

Genna Singh

Planning Associate

City of St. George | Planning & Zoning

435-627-4206

genna.singh@sgcity.org

From: email2paula@gmail.com [<mailto:email2paula@gmail.com>] **On Behalf Of** Paula Smith~Red Rock Real Estate
Sent: Tuesday, January 06, 2015 9:22 AM
To: Genna Singh
Subject: Zone change notice-Meadow Valley

Hello Genna,

Happy New Year! I'm a property owner currently in Meadow Valley Farms and received the notice of zone change for what is known as "Meadow Valley Farms Phase 9". I am wondering if there are any designated park areas for this area as of yet? So many parcels are being subdivided, which is great (I'm also a real estate agent) but I cant help to notice that this area truly lacks in parks. Kids are flooding into the area and the closest park is on the the other side of Little Valley Rd--about 1 mile away with the next one even further by the schools. I didn't want to send in an opinion for the Planning Commission to consider if in fact there is already space set in the area for a park. I believe it to be beneficial to have a park area on this side of Little Valley. Perhaps one that offers a post tie for horses or some other equine friendly amenity which will alleviate the tensions for horse owners who are frustrated with the number of homes and feeling pushed out of their equine area.

If you could let me know the park plans for this area, I would appreciate it. You can reply, or contact me direct at the number below. Thank you very much.

Paula Smith

Red Rock Real Estate

(435) 773-3751

107 S. 1470 E. Suite# 203 St. George, UT. 84790

direct fax (888) 232-8802

ITEM 5B

Zone Change

PLANNING COMMISSION AGENDA REPORT: 01/13/2014

ZONE CHANGE

Ancestor Village (Public Hearing)

Case No. 2014-ZC-016

- Request:** To rezone an R-1-10 (Single-Family Residential) zoned parcel to a PD-R (Planned Development Residential) zone on .50 acres to accommodate a fourplex. The property is generally located at 1650 North Dixie Downs Road.
- Applicant:** Chad Van Cleve
946 West Sunset Blvd, Suite E
St. George, Utah 84770
- Representative:** Mr. Chad Van Cleve
- Area:** 0.50 acres
- Address:** 1650 North Dixie Downs Road
- Current Zone:** R-1-10 (Single Family Residential – 10,000 s.f. minimum lot size)
- General Plan:** MDR – Medium Density Residential (5 to 9 du/acre)
- Density:** 8 dwelling units per acre.
- Adjacent Zones/Uses:** North: PD-R (Planned Development - Residential) Emerald Ridge Subdivision
East: R-1-10 (Single Family Residential) LDS Church Parking Lot
South: R-1-10 (Single Family Residential) LDS Church
West: MH-6 (Mobile Home) Racing Ranch Estates
- Project:** The applicant is proposing a zone change, in order to construct a two story, four unit multifamily residential project. Each of the proposed units will be platted, which will allow for individual ownership. The applicant is required to provide two (2) parking spaces per unit and one (1) guest parking space. End units have individual garages and interior units are required one (1) covered parking space provided per unit. Forty-six percent (46%) of the site is in open space and each unit has a private fenced backyard. Exterior construction consists of stucco and rock accents.
- Comments:** The property is surrounded by the LDS church building and parking lot on two sides and an existing PD development to the north. Staff finds that this change would have little or no impact on the adjacent property owners in regards to use and the proposed change is within the City's General Plan requirements.
- Staff recommends approval.







**PD ZONE CHANGE
PLANNED DEVELOPMENT (PD)
APPLICATION & CHECKLIST**



APPLICATION FOR A ZONE CHANGE AS PROVIDED BY THE
CITY OF ST. GEORGE ZONING ORDINANCE
CITY OF ST. GEORGE, UTAH

I. PROPERTY OWNER(S) / APPLICANT & PROPERTY INFORMATION

LEGAL OWNER(S) OF SUBJECT PROPERTY: VCL INVESTMENTS, LLC

MAILING ADDRESS: 946 W SUNSET BLVD, STE F

PHONE: 435-574-3309 CELL: 435-313-8833 FAX: —

APPLICANT: CHAD VAN CUE
(If different than owner)

MAILING ADDRESS: 946 W SUNSET BLVD, STE F

PHONE: 435-313-8833 CELL: " FAX: —

EMAIL ADDRESS(ES): CHAD@VANCUECONSTRUCTION.COM

CONTACT PERSON / REPRESENTATIVE: _____

(i.e. Developer, Civil Engineer, Architect; if different than owner)

MAILING ADDRESS: _____

PHONE: _____ CELL: _____ FAX: _____

EMAIL ADDRESS(ES): _____

A general description of the property location is as follows: (Give approx. street address, general location etc., and attach a vicinity map or property plat showing the subject property and the surrounding areas.) Include a **colored** site plan and **colored** landscape plan, and **colored** elevation drawings (all four sides) suitable for presentations in public meetings. 1100 N DIXIE Downs - St George, UT 84770

The Zone Change becomes effective on the hearing date if approved by the City Council. A PD (Planned Development Residential Zone) is approved for a period of 18 months only unless building permits have been issued and the project commenced prior to 18 months from the above hearing date.

OFFICE STAFF USE ONLY

CASE #: 2014-ZC-010 FILING DATE: 12/24/14 RECEIVED BY: [Signature] RECEIPT #: _____

*FEE: \$500 (Filing fee and 1st acre) + \$50.00 per ac for 2-100 ac and \$25 per ac 101-500 and \$10.00 per ac 501-plus

II. ADDITIONAL INFORMATION

Provide the following information: (Attach additional sheets if necessary)

1. What is the present zoning on the property? R-1-10
2. What zone or zones are requested by this application? PD-R
3. Is the zone change in harmony with the present City General Plan? Yes X No _____
4. If no, what does the City General Plan propose for the subject property? _____
(If the application is not in harmony with the City General Plan, a General Plan Amendment hearing will be required prior to the zone change request. General Plan Amendment hearings are held four (4) times per year in January, April, July, and October. A General Plan Amendment application can be obtained from the Community Development Department or online at <http://www.sgcity.org/commdev/forms.php>)
5. Total acreage of proposed zone change: 0.50
6. Are there deed restrictions against the property that might affect the requested zone change?
Yes _____ No X
A copy of the deed restrictions, if any, may be submitted in support of the application and shall be submitted if contrary to the request zone change.
7. Has a Traffic Impact Study or Traffic Analysis been completed to determine any traffic impacts?
Yes _____ No X
*IF YES, submit the Traffic Impact Study with the application for review by Traffic Engineering.
IF NO, a Traffic Impact Study will be required (if determined necessary at Planning Staff Review) to be submitted with the application and reviewed prior to approval by the City Council.*
8. Is the necessary utility capacity available (water, power, sewer and drainage) to serve the zone change parcel? Yes X No _____
Please describe the projected demand for utility services: WATER, POWER, SEWER, GAS, CABLE, TELECOMMUNICATIONS

III. SUBMISSION CHECKLIST FOR PD (PLANNED DEVELOPMENT) ZONE

(A COMPLETE ZONE CHANGE APPLICATION MUST BE SUBMITTED A MINIMUM OF 3 WEEKS PRIOR TO THE NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING)

Development/Project Name ANCESTOR VILLAGE

(Project name must be previously approved by the Washington County Recorder & City Planning Department)

Developer/Property Owner VCL INVESTMENTS

Phone No. 435-574-3369

Contact Person/Representative CHAD VAN CUEVE

Phone No. 435-313-8833

Licensed Surveyor CORNER POINT

Phone No. 435-574-6455

PD ZONE CHANGE PROCEDURE

Step #1 Meet with Planning Staff Review (PSR) – Meets every Tuesday at 8:30 a.m. Call Community Development at 627-4206 to be scheduled for this meeting.

Note: Call at least one day in advance to schedule.

Step #2 Document Submission Checklist*

Legal Description Documents:

Submit the following documents: (These documents must be prepared by a licensed surveyor)

- ☒ 1. Described bearings on all documents must be rotated to HCN;
- ☒ 2. Legal description prepared on 8-1/2" x 11" sheet and signed by a licensed Surveyor;
- ☒ 3. Minimum size 8-1/2" x 11" graphical representation of Survey Boundary;
- ☒ 4. Legal description and Surveyed Site Plan (Record of Survey) drawing in DWG format on a CD for the GIS Department;
- ☒ 5. 24"x36" Surveyed Site Plan (Record of Survey) drawing sheet(s) for meeting exhibit

Other Submission Documents:

- ☒ 6. This Zone Change application form completed and signed;
- ☒ 7. Appropriate** **Filing Fee:** \$500 (filing fee and 1st acre) + \$50.00 per acre for 2-100 acre and \$25 per acre 101-500 and \$10.00 per acre 501-plus
- ☒ 8. County ownership plat with boundary of zone change outlined;
- ☒ 9. List of property owners within 500' and two sets of mailing labels;
- ☒ 10. Colored Site Plan & Landscape Plan – minimum size 24" x 36";
- ☒ 11. Building elevation(s) – Colored renderings, all four building sides;
- ☒ 12. Board mounted materials and color samples (i.e. roof tile samples, stucco samples, stone samples, and paint color swatches, etc.);
- ☒ 13. For buildings over 35' ft in height also provide a colored photo simulation;

- ☒ 14. 8-1/2" x 11" reduction of the site plan, landscape plan, and building elevations;
- ☐ 15. Written text (as outlined in Zoning Ordinance Chapter 8, Section 10-8-4);
- ☐ 16. CD with the above images in JPEG, BMP or TIFF format and the written text in PDF format

**Note: This application will be considered incomplete without the above documents*

***Note: There is NO FEE for acreage rezoned to Open Space*

Step #3 Planning Commission and City Council Hearings

Planning Commission usually meets the 2nd and 4th Tuesday of the month at 5:00 p.m. All applications, the legal description and surveyed site plan drawing (Record of Survey) must be complete and submitted at least 3 weeks prior to the meeting. Incomplete or inaccurate applications **will not** be accepted or scheduled. City Council sets a public hearing date after a recommendation for approval from the Planning Commission, and then there is a 14-day advertising period prior to the public hearing.

Hearing Dates:

Planning Commission _____
 City Council Set Date _____
 City Council Hearing Date _____
 Council Action _____

Filing Fee: \$500 (filing fee and 1st acre) + \$50.00 per acre for 2-100 acre and \$25 per acre 101-500 and \$10.00 per acre 501-plus - NO FEE for acreage rezoned to Open Space

IV. COMMENTS

1. Please be aware that, if determined necessary by City staff, Planning Commission and the St. George City Council, additional information and/or special studies may be required to review the project. These may include, but not be limited to: Additional Color Renderings, Photo simulations, Computer fly-bys, Site Section Cuts, Color 'Bird's Eye' renderings, and additional color swatches and building materials.

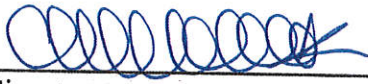
2. Until the following information is submitted, your application will be considered incomplete:

3. Required site improvements such as pavement for parking areas, curb and gutter, privacy walls, landscaping, storm drain facilities, and all other improvements required under City Ordinance shall be completed prior to

the issuance of a certificate of occupancy or approval for permanent electric power service. In the event such improvements cannot be completed prior to receiving permanent or a certificate due to weather conditions or other unusual circumstances, a financial guarantee in the form of a cashiers check, bond, escrow, or other financial guarantee acceptable to the City attorney shall be provided to the City guaranteeing that such improvements will be fully completed within ninety (90) days of the issuance of permanent power and/or a certificate of occupancy.

V. APPLICANT AGREEMENT

We the undersigned applicant(s) CHAD VAN CREE
(is)(are) the owner(s) VCC INVESTMENTS
or (agent) of the following legally described property and **request the zone change as described above.**
(Exact legal description and surveyed site plan (Record of Survey) drawing prepared and stamped by licensed surveyor, and/or property ownership plat must accompany application and must be attached hereto along with the legal description and the surveyed site plan (Record of Survey) drawing in DWG format on CD.) The legal description, if separated from the surveyed site plan (Record of Survey) drawing, must be stamped, signed, and dated, and have a firm name or surveyor's name address and phone number. **Note:** Surveyed Site Plan (Record of Survey) drawing and legal description shall comply with the pertinent subdivision Final Plat Checklist requirements.


Signature

649 N DUMBRENE DR
Address

Signature

Address

Signature

Address

Signature

Address

Signature

Address

Attach additional sheets if necessary for additional owners.

TRAINING

Ray Snyder

From: John Willis
Sent: Wednesday, January 07, 2015 12:35 PM
To: Genna Singh
Cc: Ray Snyder
Subject: FW: Invitation to the Land Use Webinar: Conditional Uses

Genna,

This might be a good training opportunity for the Planning Commission. Would you please forward the invitation to the PC?

Thanks,

John R. Willis
Planning and Zoning Manager
City of St. George
175 East 200 North
St George, Utah 84770
John.willis@sgcity.org
435.627.4235

From: Jason Watterson [mailto:jason@utahtrust.gov]
Sent: Wednesday, January 07, 2015 12:06 PM
To: John Willis
Subject: Invitation to the Land Use Webinar: Conditional Uses

Original from: Jason Watterson [jason@utahtrust.gov]
Forwarded by: Bob Nicholson [bobnicholson2plan@gmail.com]

-----Original-----

 **UTAH LOCAL GOVERNMENTS TRUST**

Land Use Webinar: Conditional Uses

Conditional use permits are one of the tools that planning commissions have at their disposal to guide land uses. This webinar will address the pitfalls, best practices, and how to stay out of trouble when dealing with conditional uses. The Utah Office of the Property Rights Ombudsman will provide excellent guidance on how to balance private property rights and your local government's needs. (45 minutes)

When
Thursday, January 15, 2015 10:00 AM - 10:30 AM
Mountain Time

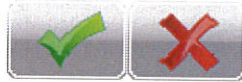
Dress Code
Business Attire

[View Event Summary](#)

[View Event Agenda](#)

Registration Deadline
Thursday, January 15, 2015

Please respond by clicking one of the buttons below



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Having trouble with the link? Simply copy and paste the entire address listed below into your web browser:

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If you no longer want to receive emails from Jason Watterson please click the link below.
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What's Up Down South: Economic Summit 2015

Salt Lake City isn't the only premier business destination in Utah. Over the course of the past four decades, Southern Utah and its surrounding rural areas have seen significant job creation, an expanding economy and opportunities to cultivate and bolster its start-up communities.

Each year, business leaders, government officials and entrepreneurs gather for the What's Up Down South Economic Summit in St. George to hear from renowned industry experts, and to get a pulse on the business climate, future projects and best practices. The event brings together the growing and dynamic southern Utah community as the leading business-planning event for the region.

The 2015 What's Up Down South Economic Summit will take place on January 15, 2015 at the Dixie Center. The 18-year-old event has a solid history of growth, annually attracting up to 1,000 participants, many who hail from outside Washington County. As the premier business event in southern Utah, the 2015 Summit will feature technology updates and improvements, as well as informative keynote speakers and breakout sessions.

What's Up Down South is co-produced by Site Select Plus, a private-public partnership that assists and supports local primary industries expand and retain jobs, and the Business Resource Center at Dixie State University, supported by the Utah Science Technology and Research initiative (USTAR).

The theme of this year's What's Up Down South Economic Summit is "Inspiring Greatness." Keynote speakers will be Lieutenant Governor Spencer J. Cox, Olympian and world cup champion Noelle Pikus Pace, and CEO of Envision Utah, Robert Grow.

Scott Hirschi, executive director of Site Select Plus, said this year's event is going to be notable in several ways.

"The event is going high-tech," said Hirschi. "Participants can check in and print their name badges at home, while Summit materials will be accessible from smart phone and tablet devices, and attendees will be scanned as they enter the event."

New breakout sessions will be: Attracting and Retaining Talented Employees by the Dixie Applied Technology College; Maintaining High Impact Social Media by Aly Brooks; Effective Media Releases to Build your Company Brand by executive producer and television personality Chad Booth, and Innovative Company Cultures by Fishbowl Inventory's Mary Michelle Scott.

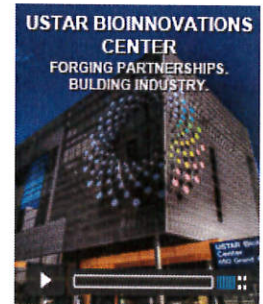
Breakout sessions back by popular demand will be Commercial Real Estate Roundup and Residential Real Estate Previews, the Soltis Financial Forecast, and Small Business Lessons Learned.

"With dynamic speakers and breakout sessions reflecting the energy of the economy here, this year's event looks to be the best ever," said Jill Elliss, director of USTAR South.

Another new feature this year will be a video highlighting the most compelling companies and projects in the next 18 months. The presentation will begin with an update of the local workforce and demographics by Department of Work Force Services economist Lecia Langston.

Additionally, the Summit will host a networking power hour after lunch. There will also be a special afternoon session on the challenges and opportunities of growth led by Robert Grow, who helped develop the original Envision Utah project.

The cost for the What's Up Down South Economic Summit includes two full meals and materials, three premier ballroom sessions and breakout sessions is \$95 per person, until Jan. 14. Cost at the door will be \$150 per person. For more information and to register, visit www.whatsupdownsouth.com.

**CATEGORIES**[Annual Report – 2009](#)[Annual Report – 2010](#)[Annual Report – 2011](#)[Featured Posts](#)[General](#)**NEWS ARCHIVE**[December 2014](#)[November 2014](#)[October 2014](#)[September 2014](#)[August 2014](#)[July 2014](#)[June 2014](#)[View all](#)

PC - TRAINING DISCUSSION

Chapter 8 PLANNED DEVELOPMENT ZONE (PD)

10-8-1: PURPOSE:

10-8-2: PERMITTED USES:

10-8-3: GENERAL REQUIREMENTS:

10-8-4: CONTENTS OF WRITTEN TEXT:

10-8-5: RESIDENTIAL DEVELOPMENT STANDARDS:

10-8-6: COMMERCIAL/MANUFACTURING DEVELOPMENT STANDARDS:

10-8-7: MIXED USE DEVELOPMENT STANDARDS:

10-8-8: OTHER REQUIREMENTS:

10-8-9: AMENDMENTS AND MODIFICATIONS:

10-8-10: PLAN REVIEW CONFERENCE:

10-8-1: PURPOSE:

The planned development zone is **intended to be used in newly developed areas** to ensure compatibility of planned development type projects with existing development. Further, planned developments are intended to be used as a vehicle for developing centers of blocks in **older areas** of the city where these areas have become difficult to develop by conventional subdivision methods and as an alternative to single-family lot subdivisions. Planned developments **are not intended to be** used in single-family residential zones to allow multiple-family dwellings on vacant lots with street frontage and located between two (2) other single-family dwellings. Parcels of vacant property located in the centers of blocks shall be combined together, using **common access driveways** to qualify as a planned development project. (1998 Document § 17-1)

10-8-2: PERMITTED USES:

The following uses are permitted: *(Note: uses are only as permitted in residential / commercial / mixed use PD zones)*

Church.

General commercial businesses of a retail trade nature, including office and professional use.

Guesthouse.

"Home occupation", as defined in section 10-2-1 of this title and prescribed in the city home occupation ordinance set forth in title 3, chapter 7 of this code.

Household pets.

Light manufacturing business.

Mobile homes or recreational vehicle developments.

Multiple-family residential uses.

- D. **Schools, Churches And Open Spaces:** The location of any proposed school sites, churches, parks or other common or open spaces shall be identified.
- E. **Phasing Plan:** A phasing plan, if the development is proposed to be developed in phases, shall be submitted.
- F. **Topography:** Topography at contour intervals of two feet (2') shall be submitted unless waived by the planning staff.
- G. **Landscape Plan:** A landscape plan showing the general location of lawn area and trees shall be submitted (this may be a part of the site or plot plan).
- H. **Area Reserved for Landscaping:** The amount of land area reserved for landscaping shall be indicated.
- I. **Utilities:** All utilities shall be underground unless otherwise approved by the city council and upon recommendation of the water and power director. Transformer equipment shall be screened from streets and from adjacent properties.
- J. **Refuse Storage Areas:** Refuse storage areas shall be screened so that materials stored within these areas shall not be visible from access streets, freeways and adjacent properties.
- K. **Lighting Plan:** The plans submitted shall include a general lighting plan indicating location of lights to be installed on the site.
- L. **Turning Space:** Safe and convenient turning space shall be provided for cars, sewer vehicles, refuse collection vehicles, firefighting equipment, etc., at the end of private drives and dead end streets. (1998 Document § 17-4; amd. 2003 Code)
- M. **Signs:** Overall sign program if proposed signage differs from what is allowed as outlined in the sign ordinance set forth in title 9, chapter 13 of this code. (Ord. 1-3-2000, 1-20-2000)

10-8-5: RESIDENTIAL DEVELOPMENT STANDARDS:

- A. **Land Coverage:** The land coverage by all buildings shall not exceed fifty percent (50%) of the net lot or parcel acreage.
- B. **Lot Size:** The minimum lot size in single-family residential subdivisions with private individual lots (no common area within lots) and private streets is five thousand (5,000) square feet; provided, that at least twenty percent (20%) of the total project area is developed and maintained as common open landscape or recreation area. (1998 Document § 17-5)
- C. **Density:** The density of a planned residential development shall conform to the density limitations of the general plan, except that the city council upon recommendation of the planning commission may approve a density greater than the general plan designation where the following findings are made:

1. The proposed development is considered an infill development where the surrounding land is already developed, and

open. The front setback to the garage shall be a minimum of twenty five feet (25'). (Ord. 2009-03-001, 3-5-2009)

b. Front yard setback from private streets shall be ten feet (10') minimum from back of curb for all buildings, and there shall be twenty feet (20') minimum from back of sidewalk (curb where no sidewalk) for garages or carports for projects started after December 11, 2001. The planning commission may allow a ten foot (10') front setback on hillside developments where it is determined that adequate off street parking is provided and the reduced setback will reduce the overall amount of hillside excavation. Projects which have received preliminary plat approval prior to December 11, 2001, and have less than a twenty foot (20'), but not less than an eighteen foot (18'), front setback from a private street may complete the project according to the preliminary plat. (Ord. 2004-08-003, 8-5-2004)

c. A garage design to allow a side entrance with an appropriate off street parking area may be located less than the twenty foot (20') minimum setback requirement where the planning commission determines such off street parking (the driveway) meets the intent of the ordinance. In no case shall the garage have a setback reduction less than ten feet (10') in order to comply with the building setback of ten feet (10') from the back of curb. The driveway shall have an appropriate radius, width and length to provide off street parking outside of the garage. Garage doors fronting the street shall have a twenty foot (20') minimum setback from the sidewalk (curb where no sidewalk). (Ord. 2002-01-005, 1-3-2002)

d. The front yard setback area shall not be used for the location of any building or parking of any motor vehicles required as a part of the parking requirement or for additional visitor parking. (Ord. 2002-01-005, 1-3-2002; amd. 2003 Code)

2. Side And Rear Yard Setback/Building Separation:

a. Side Yard Setbacks: Side yard setback or building separation for detached units:

	1½ Stories	2½ Stories	3 Stories
Where there is common or limited common area between structures and no fence, retaining wall over 3 feet exists between units or building offsets (see notes 1 through 3)	10 feet	10 feet	20 feet
Where a property line, fence, retaining wall over 3 feet or similar boundary line separates units (any ownership designation other than "common area")	8 feet to property line 16 feet between units	9 feet to property line 18 feet between units	10 feet to property line 20 feet between

2. Landscape Requirement: All planned residential developments shall have a minimum of thirty percent (30%) of the site area, including front setback area, developed and maintained as landscaped or open green space. (Ord. 2008-07-003, 7-17-2008)

- J. Time Limitation: Building permits for construction within planned development residential zones must be obtained within eighteen (18) months of the approval of a zone change to planned development. If eighteen (18) months elapse without the issuance of building permits for the construction of the approved plans within the planned development zone, the zone shall revert back to the previous zone of the property before the zone change to planned development was approved.
- K. Recreation Or Playground Areas: In developments with five (5) or more units, there shall be provided usable recreation or playground areas outside of the front yard setback, with a total minimum area of one thousand (1,000) square feet for five (5) units and an additional two hundred (200) square feet for each unit over five (5) units. The average width and length of each usable recreation or playground area shall not be less than twenty feet (20') or as approved by the planning commission. At least fifty percent (50%) of the usable area shall be in the form of open playground or green space. (1998 Document § 17-5)

10-8-6: COMMERCIAL/MANUFACTURING DEVELOPMENT STANDARDS:

A. Land Coverage: The land coverage by all buildings shall not exceed fifty percent (50%) of the net lot or parcel acreage.

B. Setbacks:

1. Front Yard:

a. The front yard setback shall be twenty five feet (25') for commercial developments and twenty feet (20') for manufacturing developments, unless the project is adjacent to an existing residential zone requiring greater than the twenty five foot (25') or twenty foot (20') setback in which case the setback shall be the same as for the adjacent residential use.

b. For commercial developments, the front yard shall not be used for the location of any building or parking area for motor vehicles, except as provided for in subsection G2 of this section.

c. Parking is allowed in the front yard setback of manufacturing developments.

2. Side Yard: The requirement for the street side shall be the same as for the front yard. Interior side yard setbacks shall be a minimum of ten feet (10') with the following exceptions:

a. No setback shall be required between a planned development zone and an adjacent commercial or industrial zone, unless setbacks are specifically required by the planning commission.

b. No setback is required between adjacent PD commercial/manufacturing buildings located in the planned development zone.

10-8-7: MIXED USE DEVELOPMENT STANDARDS:

The following provisions apply for projects which combine commercial and residential uses within the same building. Projects which combine residential and commercial uses within the same project but in distinct separate areas or separate buildings are subject to the provisions in sections 10-8-5 and 10-8-6 of this chapter as applicable.

- A. Land Coverage: For mixed use projects, building coverage may exceed fifty percent (50%) of the lot or parcel acreage provided that a minimum of twenty five percent (25%) of the lot or parcel area is maintained in landscaped area.
- B. Density: Density shall conform to the limitations set forth in the general plan land use map. Areas designated as commercial on the land use map shall be considered as high density residential.

- C. Building Setbacks: Buildings shall front the public street (or principal street in the case of private streets) unless an exception to this requirement is granted by the city council upon recommendation of the planning commission.

For buildings fronting the public street the front setback shall be a minimum of ten feet (10') from property line. The maximum front building setback is twenty feet (20') behind back of curb, unless otherwise approved by the city council.

The front setback area shall consist of a combination of landscaped areas and sidewalk. Sidewalks shall have a minimum width of ten feet (10') and may consist of concrete, stone or brick pavers or a combination of these materials as may be approved by the city engineer. Landscaping shall consist of trees and shrubs, and ground covers.

- D. Building Height: Building height for mixed use buildings shall not exceed forty five feet (45') unless a greater height is approved as part of the planned development zone approval. (Ord. 2007-09-005, 9-6-2007)

E. Landscaping/OS:

- 1. Compliance Of Mixed Use Properties: Mixed use properties within the planned development zone shall comply with chapter 25, "Landscape Standards", and section 10-25-4, "Additional Requirements For Commercial Developments", of this title.

- 2. Landscaped Open Space: Minimum landscaped open space shall not be less than twenty five percent (25%) of the lot or parcel area, and shall consist of trees, shrubs and ground cover. (Ord. 2008-07-003, 7-17-2008)

- F. Minimum Ground Floor Glass: The ground floor of the building elevation fronting the street on all mixed use buildings shall contain not less than forty percent (40%) nonreflective glass surface (i.e., windows).

- G. Ground Floor Uses: The ground floor uses shall consist of office, retail, restaurant or a combination of such uses, as approved by the city council as part of the planned development zone approval.

10-8-9: AMENDMENTS AND MODIFICATIONS:

Any amendments to the development plan shall be accomplished in the same manner as any other amendment to this title. Revised text and/or plans shall be submitted, along with a zone change request, to the planning commission and shall be reviewed in the same manner as the initial zone change request. The plan as approved by the city council constitutes the zone, and any significant change in the plan shall be processed as an amendment to the zone. (1998 Document § 17-8; amd. Ord. 2006-01-004, 1-19-2006)

10-8-10: PLAN REVIEW CONFERENCE:

- A. Required: Following the approval of the planned development zone change and upon request for issuance of any building permit therein, the developer and contractor, and the planning staff, shall meet together to review the requirements of the zone change and to make sure that the developer and contractor are aware of the conditions under which the zone change was granted.
- B. Official Plan: At the plan review conference, the plans will be stamped by the staff and signed by the staff, developer and contractor as the official set of construction plans from which the work will be performed.
- C. Changes Or Modifications: Any changes or modifications to the approved plan of development during the period of construction shall first be resubmitted to the planning staff for approval, and, if deemed significant and at the discretion of the staff, returned to the planning commission for their review and recommendations and to the city council for a hearing to amend the zone as provided for in section 10-8-9 of this chapter. (1998 Document § 17-9; amd. Ord. 2006-01-004, 1-19-2006)

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
July 08, 2014 – 5:00 PM**

PRESENT:

Commissioner Ro Wilkinson
Chairman Pro Tem Nathan Fisher
Commissioner Diane Adams
Commissioner Todd Staheli
Council Member Joe Bowcutt

CITY STAFF:

Development Services Manager Wes Jenkins
Community Development Coordinator Bob Nicholson
Project Manager Todd Jacobsen
Planner II Ray Snyder
Assistant City Attorney Victoria Hales
Administrative Secretary Genna Singh

EXCUSED:

Chairman Ross Taylor
Commissioner Don Buehner
Commissioner Julie Hullinger

FLAG SALUTE

Chairman Pro Tem Nathan Fisher called the meeting to order at 5:02 pm and led the flag salute.

1. **FINAL PLATS (FP)**

- A. Consider approval of a final plat for “**Cottam Cove Phase 1**” a twenty-five (25) lot residential subdivision. The representative is Mr. Bob Hermandson, Bush & Gudgell. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at approximately 2050 S & River Road (east side of River Road). 2014-FP-031. (Staff – Todd J.).

Todd Jacobsen noted that there is a sewer easement that needs to be vacated before recording the plat. If approved tonight it will go to City Council for approval. This plat is contingent on the easement vacation.

- B. Consider approval of a final plat for “**Mulberry Estates Phase 6**” a fourteen (14) lot residential subdivision. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size) and is located at Crimson Ridge Drive and 3000 E (Little Valley area). 2014-FP-009. (Staff – Todd J.).

Todd Jacobsen noted that everything north of Crimson Ridge is 3000 E and everything south of Crimson Ridge will have a different name for the road which has yet to be determined.

- C. Consider approval of a final plat for “**Mulberry Estates Phase 7**” an eight (8) lot residential subdivision. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size) and is located at approximately 3200 S and 3000 East (Little Valley area). 2014-FP-010. (Staff – Todd J.).

Todd Jacobson had no additional comments on this item.

- D. Consider approval of a final plat for “**Sycamore Phase 6**” an eighteen (18) lot residential subdivision. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size and is located at approximately 2650 E 3800 S (Little Valley area). 2014-FP-044. (Staff – Todd J.).

Todd Jacobsen had no additional comments on this item.

- E. Consider approval of a final plat for “**Maverik St. George Subdivision**” a one (1) lot commercial subdivision. The representative is Mr. Robert Kunz, Reeve & Associates. The property is zoned PD-C (Planned Development Commercial) and is located at 1450 S & River Road. 2014-FP-005. (Staff – Todd J.).

Todd Jacobsen noted that the Maverik is already up and running. On the plat there is a 100 year floodplain line. Most of this lot is within the 100 year floodplain. In order to get going on this project they had to raise the building pad and get certificates from FEMA. I believe they're above the floodplain elevation even though they're still in the 100 year floodplain. We treat commercial differently than residential as far as allowing them to build in the floodplain. The river runs on the north side of this area and they were required to put in rip rap. Hopefully there won't be issues with erosion or flooding. These issues should have been taken care of before the building permit was issued.

MOTION: Commissioner Ro Wilkinson made a motion to accept the final plat for item 1A, 1B, 1C, 1D, and 1E with the authorization for chairman to sign.

Assistant City Attorney Victoria Hales asked if item 1A be contingent on the properly noticed public hearing for the easement vacation at City Council.

Commissioner Ro Wilkinson added the contingency to her motion.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion passes.

2. **FINAL PLAT AMENDMENT (FPA)**

- A. Consider approval of a final plat amendment for **"Primrose Pointe Subdivision Phase 3 Amended"** a previously recorded residential subdivision final plat. The representative is Mr. Bob Hermanson, Bush & Gudgell. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size and is located at Acantilado Drive and Arroyo Drive (east of Foremaster Ridge and southwesterly of Red Cliffs Mall). 2014-LRE-009. (Staff – Todd J.).

Todd Jacobsen stated that the only change on this plat is for Note #9. That note states that certain lots should only be built with walkout basements. This is to add, "unless otherwise approved by the City of St. George Public Works Department based on a site plan that meets all applicable City Standards, including but not limited to, grading and setback standards and requirements" This change is for lot 2. That lot was graded more as slab on grade but was included in the walkout basement requirement. Changing the note is so they don't have to change the grading.

Chairman Pro Tem Nathan Fisher asked if this is opening the door for the change or if they have to come to staff first.

Todd Jacobsen responded that any plan would have to come to staff for approval.

- B. Consider approval of a final plat amendment for **"Southgate Views Amended"** a previously recorded residential subdivision final plat. The representative is Mr. Bob Hermanson, Bush & Gudgell. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size and is located at 664 W Sir Monte Drive. 2014-FPA-042. (Staff – Todd J.).

Todd Jacobsen stated that this change is also for a note amendment regarding walk out basements. There is also a change to the lot line between lots 11 and 12. There is a house on lot 11 and he also owns lot 12. To have a pool there must be a residence on the lot so they are being merged in order for the pool to be in compliance.

Chairman Pro Tem Nathan Fisher asked if there are easements that need vacating between the lots.

Todd Jacobsen responded there is an easement between the lot line that we will need to vacate.

City Councilman Joe Bowcutt asked if it has to be a public hearing at City Council.

Chairman Pro Tem Nathan Fisher asked if the vacation is contingent upon the merger.

Todd Jacobsen responded that the amendment can have more than one change but we do have to vacate the easement.

Assistant City Attorney Victoria Hales added that the ordinance for City Council will state both.

- C. Consider approval of a final plat amendment for **"Shinava Ridge Amended"** a previously recorded residential subdivision final plat. The representative is Mr. Kevan

Bundy, Bundy Surveying Inc. The property is zoned PD-R (Planned Development Residential) and is located at 2549 W Sinagua Trail, Lot 48 & 49 (Entrada Development). 2014-FPA-035. (Staff – Todd J.).

Todd Jacobsen explained that all they are doing is shifting and rotating lots 48 and 49 closer to the cul-de-sac. They are doing this because there is hillside at those lots. In order to avoid grading the hillside they will shift over. There is still enough frontage on the road.

Councilman Joe Bowcutt asked what the setback requirement is.

Todd Jacobsen replied that the setback is typically 20' and they're still meeting that.

Chairman Pro Tem Nathan Fisher noted that lot 48 is narrower and asked if that is okay. Todd Jacobsen said the lots still meet the distance to the cul-de-sac.

- D. Consider approval of a final plat amendment for **"Boulevard Centre Pad "C" Condominiums Amended"** a previously recorded commercial subdivision final plat. The representative is Mr. Bob Hermanson, Bush & Gudgell. The property is zoned C-4 (Central Business District) and is located at 162 N 400 E, Building Case No. 2014-FPA-023. (Staff – Todd J.).

Todd Jacobsen stated the purpose of this amendment is for the second and third floor. They are going from common area to private ownership. There are doors to be put in that will still meet fire code exit requirements.

Chairman Pro Tem Nathan Fisher noted that the first floor has a hallway that allows two ways to exit. How will they have that up above without that?

Todd Jacobsen responded there are two doors on either side.

Chairman Pro Tem Nathan Fisher asked if they will still have common access.

Todd Jacobsen said yes they will.

Councilman Joe Bowcutt asked if the is plan to divide that area into smaller offices.

Bob Hermansen (representative) said the entire floor will be combined into one big unit.

- E. Consider approval of a final plat amendment for **"Meadow Valley Estates Phase 3 Amended"** a previously recorded residential subdivision final plat. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) and is located at 2286 E 2800 S. Case No. 2014-LRE-008. (Staff – Todd J.).

Todd Jacobsen stated lots 114 and 115 are being affected. The woman owns the east property all the way down south. The son owns the western piece. The son will dedicate some of his lot to her and she will add some area to the south. We're going to vacate the public utility easement and then dedicate easement to where the new road will be. This is a lot line adjustment between mother and son. This whole area is very steep.

Chairman Pro Tem Nathan Fisher asked if it's the southern part goes to the son.

Todd Jacobsen replied she'll keep what's down below. She's receiving from the son and it will all be part of lot 114.

Councilman Joe Bowcutt asked where the easement to be vacated is located.
Todd Jacobsen illustrated where the easement is.

Assistant City Attorney Victoria Hales inserted that item 2B will also be a public hearing at City Council for the easement vacation.

MOTION: Commissioner Diane Adams made a motion to approve 2A as stated, 2B with the condition of a public hearing for the public utility easement vacation, 2C as written, 2D as written, and 2E as written.

SECONDED: Commissioner Todd Staheli seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion passes.

3. **LOT LINE-SPLIT-MERGER-ROADWAY DEDICATION (LLA/LS/LM/RDWDY)**

- A. Consider approval of a lot line adjustment/lot split/ lot merger-record of survey for "St. George 730 LLC (Record of Survey for the Lakes Development)." Mr. Michael Draper, Rosenberg Associates. The property is located west and south of the Sunbrook development and green valley area. Case No. 2014-FP-043. (Staff – Todd J.)

Todd Jacobsen stated that there are currently seven or eight parcels up there that they want to split into different parcels. There will be open space dedicated to the City as well as two parks. This exhibit is more a record of survey. They will deed each parcel shown and then sell the parcels to future developers who would further subdivide into residential units. The current zoning up there is R-1-10. This item is to approve the beginnings of what the future development will be.

Chairman Pro Tem Nathan Fisher asked if this is to get the streets and improvements in so they can sell.

Todd Jacobsen explained that this is for the lot line adjustment and merger; really for the record of survey that is shown. There are parcel lines that we are reshaping and reconfiguring. The next two items are for roads.

- B. Consider approval of a roadway dedication plat for "**Plantations Drive & Alienta Drive Roadway Dedication Plat.**" Mr. Michael Draper, Rosenberg Associates. The

property is located west and south of the Sunbrook Development and Green Valley area. Case No. 2014-FP-037. (Staff – Todd J.).

Todd Jacobsen said there are four pages to this. The improvements will not be done at this point. They will be done when the parcels are sold and developed.

Chairman Pro Tem Nathan Fisher asked why not do them when the development is done. Why not do the streets at the same time?

Todd Jacobsen said there is already a development agreement in place so they're trying to put the cost on the developer.

Chairman Pro Tem Nathan Fisher asked what they do if the lots are sold in a piecemeal manner.

Todd Jacobsen replied that is all in the development agreement.

Rick Rosenberg (representative) inserted that if a piece is sold far away they'll have to develop infrastructure out to that piece. This gives flexibility to market each pod. The density is already spread out and the road accesses the pods. The right of ways are in place so they could do that as long as they follow the process. It's all covered in the development agreement that was approved by City Council.

Councilman Joe Bowcutt asked if the road will tie into Dixie Drive.

Rick Rosenberg (representative) answered yes, however there's a gap that's not annexed into the City yet.

Todd Jacobsen said eventually it will connect.

- C. Consider approval of a roadway dedication plat for "**Lago Vista Drive, Alienta Drive, Sentieri Vista Drive Road Dedication Plat.**" Mr. Michael Draper, Rosenberg Associates. The property is located west and south of the Sunbrook Development and Green Valley area. Case No. 2014-FP-039. (Staff – Todd J.).

Todd Jacobsen stated this item has the same idea.

Chairman Pro Tem Nathan Fisher asked if this is also just the right of way.

Assistant City Attorney Victoria Hales added that the contingency of connecting to Dixie Drive is covered in the development agreement.

MOTION: Commissioner Ro Wilkinson made a motion to accept item 3A based on the comments from staff, item 3B based on the comments from the developer and staff, and item 3C based on the comments made.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion passes.

4. **PRELIMINARY PLAT (PP)**

- A. Consider approval of a preliminary plat for “**Tuscan Hills Phase 3A**” a seven (7) lot residential subdivision. The applicant is Updwell Development, LLC and the representative is Mr. Todd Gardner (Alpha Engineering). The property is zoned PD-R (Planned Development Residential) and is located at Province Way and Plantations Drive. Case No. 2014-PP-028 (Staff Wes J.)

Wes Jenkins said they are finishing the lots between the existing development and Phase 3 that came in recently. These lots are shown on the original master plan. The lots will be part of the PD development where they'll have the amenities and they'll pay into the HOA fund.

Chairman Pro Tem Nathan Fisher asked if something happens to the developer, does the money go to the HOA.

Assistant City Attorney Victoria Hales responded that is the theory. All preliminary plats will be subject to legal approval.

Chairman Pro Tem Nathan Fisher asked if there is a development agreement that spells out the amenities.

Wes Jenkins said there's going to be a pool and clubhouse, they're be some landscaping and then there's another pool and other amenities shown on the master plan.

MOTION: Commissioner Ro Wilkinson made a motion to accept item 4A based on legal comments and approve the preliminary plat.

Assistant City Attorney Victoria Hales asked if approval is based on legal review.

Commissioner Ro Wilkinson added contingency of legal review to the motion.

SECONDED: Commissioner Todd Staheli seconded the motion.

AYES (4)

NAYS (0)

Motion passes.

- B. Consider approval of a preliminary plat for “**Red Storm Townhomes**” a twelve (12) unit residential subdivision. The applicants are Dennis and Sherry Garr and the representative is Mr. Alan Hall (Rosenberg Associates). The property is zoned R-3 (Multi Family Residential) and is located at approximately 1100 East and 500 South. Case No. 2014-PP-029 (Staff Wes J.)

Wes Jenkins explained that one of the issues that came up for this plat was the access point relative to the intersection. Based on the City Traffic Management Policy the access is too close to the intersection... However, the property slopes from north to south so they were willing to move the access north and the units south. The downside to that is the slope. So if there were a heavy storm the units could flood. We felt that due to the volume of traffic with minimal chance for conflict and the slope of the property the units should be on the north end of the property even though it doesn't meet our traffic management standards. Each of these will be individually owned and they'll need to have an HOA. They need 30 % open space which they meet and a playground area. They were required to have 28 parking stalls and they have 33.

Councilman Joe Bowcutt asked what the normal distance between the intersection and the driveway should be.

Wes Jenkins replied that distance should be around 150' and it's quite a bit closer. If it was a higher volume street we would be concerned but we felt that it would be okay as is to keep the drainage away from the buildings.

Assistant City Attorney Victoria Hales stated this will also be subject to legal review.

MOTION: Commissioner Todd Staheli made a motion to approve item 4B conditioned on legal approval.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion passes.

- C. Consider approval of a preliminary plat for "**Hoopess Lane**" a three (3) lot residential subdivision. The applicant is Mr. Dan Hoopes and the representative is L.R. Pope Engineering. The property is zoned R-1-8 (Single Family Residential) and is located at 650 E 600 S. Case No. 2014-PP-030 (Staff Wes J.)

Wes Jenkins said this is an infill development. There is an existing house with open space in the back. They want to put in 2 lots at the back of their property served by a 25' driveway. A 25' staff can serve a max of two lots or four dwelling units. They both have about 8,000 square feet. The staff will be part of one of the lots. There will be a cross access and maintenance agreement that will have to be established before recording the plat, and the new plan will have to meet City standards. It is also subject to a public utility easement for the sewer line. The road will be private but subject to the public utility easement.

Chairman Pro Tem Nathan Fisher asked if the cross access agreement will also go across the lots.

Wes Jenkins said it will.

Chairman Pro Tem Nathan Fisher asked which lot the staff is part of.

Wes Jenkins answered there is an updated plan that shows the angle point.

Councilman Joe Bowcutt asked if the sewer line easement will tie in on 600 South.

Wes Jenkins replied that 600 South does sit higher; we'll address that at the construction drawing stage.

MOTION: Commissioner Diane Adams made a motion to approve item 4C subject to legal approval and the public easement.

SECONDED: Commissioner Todd Staheli seconded the motion.

Assistant City Attorney Victoria Hales asked if the cross access and maintenance agreement

would be part of the motion.

Commissioner Diane Adams added the cross access and maintenance agreement to the motion as a condition of approval.

Todd Staheli seconded the amended motion.

AYES (4)

Commissioner Ro Wilkinson

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion passes.

- D. Consider approval of a preliminary plat for “**Hawthorn Estates**” a seventy-seven (77) lot residential subdivision. The applicant is Development Solutions and the representative is Mr. Steve Kamlowsky. The property is zoned R-1-10 (Single Family Residential) and is located at 3000 E Crimson Ridge Drive. Case No. 2014-PP-031 (Staff Wes J.)

Wes Jenkins said the lots along 3000 East will be double fronting requiring the privacy wall and landscape strip. In their master plan they had three park locations. Silkwood Park was increased to three acres as a public park. There is a park in this approval and then there is another planned by the hillside. This park will be dedicated separately and is not part of the plat. The park will also act as a detention basin.

Chairman Pro Tem Nathan Fisher asked if this area will have the different street name and why can't it remain as 3000 East.

Wes Jenkins responded it will be different. The road curves to where it is no longer 3000 East.

MOTION: Commissioner Todd Staheli made a motion to approve item 4D with the condition that 3000 East has the 10' landscape strip with the 6' privacy wall and that the developer set apart the area for the park.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion passes.

5. **BUILDING DESIGN CONCEPTUAL SITE PLAN (BDCSP)**

Consider development of approximately a 35,000 sq. ft. building for the “**Meadows Memory Care**” facility located near the intersection of 400 East Street and 1160 South Street (near the I-15 Freeway) and southwest of the existing Meadows facility. The

zoning is PD-R. The representative is Mr. Todd Gardner, Alpha Engineering. Case No. 2014-BDCSP-003 (Staff – Ray S.)

Note: This item was tabled at the June 24th PC meeting

Note: The PC told the applicant this item could proceed to the CC on July 10th (if approved on July 8th).

Ray Snyder presented the following:

I'll focus on the changes made. They had a green roof and predominately stucco on the outside. They have changed it to all brown with stone accents. The roof will be brown and the elevations have been revised.

Chairman Pro Tem Nathan Fisher asked what the roof material will be.

Todd Gardner (representative) said it is still metal and it matches the existing building.

Chairman Pro Tem Nathan Fisher asked if the blue stripe is gone.

Todd Gardner said it will be replaced by the burnt marshmallow and the tan will be most of the building with the gray for the beams.

Commissioner Ro Wilkinson commented that the new design blends in much better.

Chairman Pro Tem Nathan Fisher agreed it does look a lot better. It will stand out there because of its location and I don't think they need to make it more noticeable.

Assistant City Attorney Victoria Hales advised the commission that some of the colored pictures in the packet have the green roof rather than the revised colors and that the approval is for the revised.

Ray Snyder stated the applicant will submit the revised colors for City Council.

Assistant City Attorney Victoria Hales noted that any motion would be for the revised colors.

Chairman Pro Tem Nathan Fisher added that we can condition approval stating the revised colors must be in the packet for City Council.

MOTION: Commissioner Diane Adams made a motion to accept Item 5 subject to the changes in the color palette displayed here this evening and that it must be submitted for City Council as revised.

SECONDED: Commissioner Todd Staheli seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion passes.

6. **MIXED USE BUILDING DESIGN CONCEPTUAL SITE PLAN / PROJECT DENSITY / PARKING APPROVAL (BDGP / DEN / PRK)**

Consider approval of the building design, conceptual site plan and residential density for a mixed use (commercial & residential) project called "**Joule Plaza**" located on approximately 3.9 acres between 200 West and 300 West Streets and south of Tabernacle Street in the commercial C-4 zone. Also, consider a request for a parking ratio of 1.5 parking spaces per residential unit, rather than 2 spaces per unit. The applicant is Dixie Sun Ventures, and the representative is Mr. Wes Davis. Case No. 2014-BDCSP-004 (Staff – Bob N.)

Bob Nicholson presented the following:

Item 6 and 7 are the same project but different requests.

Item 6 is a building design, conceptual site plan, density and parking reduction. The property is owned by the Wilkinson family. The project consists of three four-story buildings. These projects are subject to plan review by Planning Commission and City Council. They propose 129 residential units with 23,626 square feet of commercial floor area. There are 288 total parking spaces. Of those spaces, 135 are below grade and the balance will be above grade. The applicant wants a ratio of 1.5 spaces per residential unit rather than 2 which the Planning Commission may approve per ordinance 10-19-4 which says Planning Commission may allow a reduction in parking to 1.5 per unit with projects with more than 50 units if the applicant can prove adequate parking. They have provided a video that we will show at this time.

Video was shown with narrative of the project by Bob Nicholson and Wes Davis

Chairman Pro Tem Nathan Fisher asked if the facility will have tenants for that.

Wes Davis replied yes, the buildings are lower than the existing courthouse as far as elevation and visibility.

Chairman Pro Tem Nathan Fisher asked if there is an illustration of the courthouse so we can see it in relation.

Commissioner Todd Staheli asked if this is shorter than the courthouse.

Wes Davis said it is shorter than the courthouse.

Chairman Pro Tem Nathan Fisher asked if the center will all be open court area.

Commissioner Diane Adams asked if the max is 129 residential units.

Bob Nicholson said that is correct.

Wes Davis stated that page 3 of the plans shows the overall site plan from an aerial view

Councilman Joe Bowcutt asked if parking would be allowed on the south side of Tabernacle.

Wes Davis said there is off street parking allowed there but that is not included in our ratios.

Councilman Joe Bowcutt questioned if the road is wide enough there.

Wes Davis indicated it was.

Bob Nicholson continued stating the flyby shows what they are trying to accomplish. There are some drawings on the board. The building height (which will be looked at as item 7) is 54' to the maximum. The roof line does jog around with an architectural feature. Building A will be 54'. Building B and C are to the rear. Building B is 51' approximately and Building C is 50'4" to the highest point. All buildings have variation on the roof line. Under the mixed use requirements

half the ground floor area has to be commercial. They have met that requirement. They have slightly more than is required for the commercial.

Chairman Pro Tem Nathan Fisher asked if there is commercial in the interior.

Bob Nicholson said the total ground floor foot print is 47,192 square feet for all three buildings. 50% is 23,596 square feet and they propose 23,626 square feet as their commercial area. That is mostly in Building A (the entire ground floor) and then Building B and C at the end caps. Building materials will have sandstone as accent along Tabernacle and 200 West facades. They also have brick, stucco and hardi-siding exterior finishes.

Chairman Pro Tem Nathan Fisher – the material color things look different than what is ..
Scott Gilbert (architect) answered those are the metal for the fascia.

Bob Nicholson said zoning is C4 to the north, east and west. South of the project is RCC. They propose 129 residential units which is a density of 33 dwelling units per acre. In the mixed use ordinance there is not a density formula or limitation. Density is part of the design review. Staff is comfortable with what is proposed. It is limited by parking availability as well as the landscaping requirements. There is underground parking under each building and surface parking. There are four access points: Tabernacle, 300 West and two accesses on 200 West.

Chairman Pro Tem Nathan Fisher – future development is not included in this application.

Bob – correct. Bldg A is the main building along Tabernacle. The high point is the corner piece at 54' up to the top. The majority of the roof line drops down.

Chairman Pro Tem Nathan Fisher asked if there is the same footprint on each floor.

Bob Nicholson said Wes Davis can address that in a moment.

Commissioner Diane Adams asked what is currently on the property right now and how much will be removed.

Bob Nicholson said there are two homes on 200 West and one home on 300 West and a building on Tabernacle that's coming down.

Wes Davis inserted there are five to six homes, a commercial building and a metal building to be removed. They are all owned by the family right now.

Bob Nicholson continued stating that they meet the requirement of the C4 mixed use. You need to consider the parking reduction. The request is not for the commercial area it is for the residential area. The standard for residential is 2 parking spaces per unit but can be reduced to 1.5 spaces per Planning Commission. Wes Davis has done some research on other communities and 1.5 spaces in a mixed use is not uncommon. Part of my comfort level with that is the number of one bedroom units they'll have as well as the commercial mix.

Chairman Pro Tem Nathan Fisher asked if these are rentals or separate ownership.

Wes Davis responded they will be rentals as apartments.

Bob Nicholson added that because they meet the commercial at 94 spaces. Those offices will be closed in the evening. So the peak parking demands offset each other. For the first part of this that is all I have. The second part we'll consider as the height will be after this motion.

Chairman Pro Tem Nathan Fisher asked how many stalls are needed if the parking remained at two per unit.

Bob Nicholson said they have 129 units so 194 at 1.5 spaces and 258 at 2 spaces.

Chairman Pro Tem Nathan Fisher inserted plus the 94 commercial spaces.

The height issues will be discussed before a motion is made for item 6

7. **CONDITIONAL USE PERMITS (CUP)**

- A. Consider a request for a conditional use permit to construct three buildings which exceed a height of 35', in a mixed-use project called "**Joule Plaza**" located between 200 West and 300 West on the south side of Tabernacle Street in a commercial C-4 zone. The main building located along Tabernacle Street proposes a height up to *fifty-four (54')* to roof peak, and the two interior buildings, located to the rear of the main building would have heights ranging from forty-five feet to fifty feet (45' to 50'). The applicant is Dixie Sun Ventures, and the representative is Mr. Wes Davis. Case No. 2014-CUP-014.

Bob Nicholson began stating the main building has the architectural feature on the corner. That architectural feature is the highest point. The rest drops down so there is variation. The bulk is 52'.

Commissioner Todd Staheli asked if the other corner is 54' as well.

Bob Nicholson said I'm not positive. There is a list of 15 buildings in your packet that are taller than 35'. All of which have been commercial buildings. There is a provision that allows the request for additional height.

Councilman Joe Bowcutt referred to Item 6 asking if the underground parking is under Buildings B and C.

Bob Nicholson responded that underground parking is under all three buildings.

Councilman Joe Bowcutt asked what below grade means. Will all parking be under or just half?

Wes Davis replied that parking will be entirely below grade.

Councilman Joe Bowcutt questioned the space between the private property owner across the parking lot on the south side.

Wes Davis responded there is over 110'.

Councilman Joe Bowcutt asked what the back of Buildings B and C look like.

Chairman Pro Tem Nathan Fisher inquired where Building C elevation is looking from. Is it looking north from the south?

Wes Davis responded that all around are architectural features with some depth.

Chairman Pro Tem Nathan Fisher reminded the Commission that what the application today is for is to approve this design so what we see now would be constructed. Now is the time to address any issues we have.

Assistant City Attorney Victoria Hales added this is a mixed use building design, conceptual site plan so we address all details. We have an ordinance that deals directly with mixed use in a C4 zone (10-10-5K). All the things you consider are listed in that ordinance, including the density with findings, parking reduction, and whether or not that is recommended for the residential, the building design details including the height and materials board, the landscape design, and any details about phasing, and any details about the types of apartments or the impacts those apartments would have on pedestrian access, safety as well as the impact on the parking requirements because there are 1, 2 and 3 bed apartments, and whether they are leased or purchased as condos which may impact these issues as well. Each should be addressed at this time.

Bob Nicholson stated there is a letter from Ms. Emily Cox objecting to the height of the project.

Wes Davis said we came in with an original plan and at the time there were no codes in place for a project like this. We spent months adjusting the ordinance and our plans. We did conduct studies concerning the mixed use showing we should try to get 40 units per acre. We looked at other ordinances for other cities and for the most part they require 1.5 parking stalls. Your peak and off peak hours vary which is why we're only looking for the parking reduction for the residential units and not the commercial.

Commissioner Diane Adams asked how parking would be managed; by the lease agreement for the parking in the residential area? Is it permitted parking?

Wes Davis stated the code says one covered parking stall so there will be some management for those stalls but other than that it will be shared. Given the target demographic here is a not large family. These will be younger families or single parent working families. The City wants pockets and areas where people can walk to and from work and amenities we envision given the location near Smiths and Main Street there will be opportunities to walk.

Chairman Pro Tem Nathan Fisher said that's the purpose of this ordinance to create pedestrian friendly environment.

Ro Wilkinson asked how many commercial buildings there are. Are they all the bottoms?

Wes Davis said that sheet AS101 shows the entire main floor and the 2nd floor of Building A.

Commissioner Ro Wilkinson asked if the commercial spaces can be offices or restaurants. She stated concerns about noise. If there is a restaurant with a band it may be loud.

Wes Davis stated that we don't anticipate restaurants or bands.

Chairman Pro Tem Nathan Fisher noted that parking would be different for a restaurant than office space. Are we restricting them to no restaurants with the parking requirement?

Bob Nicholson stated that their parking does limit them.

Wes Davis said we're looking at offices and small retail.

Commissioner Ro Wilkinson noted that parking does need to be addressed for how large this area is.

Commissioner Todd Staheli stated you can't prevent it, but if I were a restaurant owner I would love to be there right downtown. Especially for parking there would be tons of night time cars.

Wes Davis countered that we don't anticipate that. There are several restaurants within a few blocks of here.

Chairman Pro Tem Nathan Fisher asked if they are asking for office retail per definition.

Bob Nicholson advised that any form of commercial that fits in the C4 zone. However food service requires parking.

Chairman Pro Tem Nathan Fisher said for approval it includes restaurants but they don't satisfy the parking. How do we deal with that down the road?

Assistant City Attorney Victoria Hales stated there is an inconsistency.

Bob Nicholson answered that when they come in for a business license they have to prove they can handle the parking.

Assistant City Attorney Victoria Hales said this should be discussed. You're not restricting the uses so it has to be considered in your parking in order to accommodate all C4 uses.

Chairman Pro Tem Nathan Fisher asked if we could condition that in the design approval.

Wes Davis inserted that the parking calculations are true in any commercial complex.

Commissioner Todd Staheli said the difference is the residential potentially above a restaurant.

Chairman Pro Tem Nathan Fisher asked what ratio the commercial parking is.

Bob Nicholson responded 1:100 square feet is for the restaurant.

Chairman Pro Tem Nathan Fisher stated if they come in for a business license they have to show that parking.

Commissioner Todd Staheli countered there are 288 spaces they say the public can park in.

Assistant City Attorney Victoria Hales said if you reduce the parking it will affect the business license later but if you don't reduce it will help accommodate for all C4 uses.

Chairman Pro Tem Nathan Fisher asked if they're asking 94 for commercial and whatever for residential, is that applicable?

Assistant City Attorney Victoria Hales stated that it's difficult to differentiate.

Bob Nicholson inserted that the code says it as either 2 spaces or 1.5 spaces. The commercial is based on the floor area.

Chairman Pro Tem Nathan Fisher replied, right but when we approve the parking stalls it is generalized.

Wes Davis said if anyone comes in for site plan they have to count stalls and count units and then they can do the math.

Chairman Pro Tem Nathan Fisher asked if that is how it happens at the business license stage.

Commissioner Todd Staheli said it's based on square footage.

Bob Nicholson said there is a residential and commercial component and they are separate based on the commercial floor area and parking they are not designed to handle food services. Right now the parking isn't there for restaurant use.

Commissioner Todd Staheli clarified so if I want a restaurant there and have x amount of footage and there is x parking that isn't designated I can say they're all open spaces.

Councilman Joe Bowcutt inserted being the devious person I am I would park anywhere I wanted to unless they're designated.

Wes Davis said when businesses come in they always count stalls. Where they park is irrelevant as long as it meets code or ordinance.

Commissioner Diane Adams asked if there is enough parking without the reduction.
Wes Davis said no.

Assistant City Attorney Victoria Hales inserted that if the density were reduced then you can meet the parking requirement.

Wes Davis said we don't want to reduce the residential; we want to reduce the commercial.

Bob Nicholson added that parking is based on use. Some uses require much less parking. If some of these uses were furniture stores or plumbing the demand would be low and would free up spaces for a restaurant. There is flex in the commercial depending on the mix of tenants. So they may be allowed to have a restaurant.

Wes Davis said they'll all have to come in for a license.

Chairman Pro Tem Nathan Fisher stated so when they go in for the application with the City they will have to look at the residential and subtract that from the total stalls available.

Assistant City Attorney Victoria Hales inserted I understand they are designated on the plan as residential and commercial but are they reserved? There needs to be detail on how you get into the covered parking and if they are assigned exclusively to a residential tenant so the commercial and residential parking are differentiated other than it being simply on the plan.

Wes Davis indicated we could do that. We could say no commercial parking under and all residential under.

Assistant City Attorney Victoria Hales asked how it is now.

Wes Davis said the ordinance didn't call for that.

Assistant City Attorney Victoria Hales said I'm asking because it impacts density and use.

Wes Davis stated we'll meet all the requirements in the ordinance.

Chairman Pro Tem Nathan Fisher said there has to be some way because there has to be one covered parking that has to be separate somehow.

Assistant City Attorney Victoria Hales added plus guests

Wes Davis said guests don't need covered parking.

Bob Nicholson inserted that we didn't apply guests to this ordinance.

Commissioner Ro Wilkinson asked about traffic flow. Will it impact both Tabernacle and 100 South?

Wes Davis responded there are access points on Tabernacle, 200 West, and 300 West. There is not an access on 100 South.

Assistant City Attorney Victoria Hales noted that per ordinance all must comply with parking for commercial and residential (10-10-5K;2g).

Bob Nicholson added that in Chapter 19 guest parking is under residential area requirements. I don't know if that means residential zone. We'll have to resolve that issue. If you look under guest parking the requirement is 1:3 with some flexibility that Planning Commission and City Council may reduce it. Again part of the mixed use is the requirement for commercial area and most will be closed in the evenings. If there are professional offices they'll be closed in the evening which will free up parking for guests.

Councilman Joe Bowcutt asked if that is for all residential or is it part of C4.

Bob Nicholson said parking is Chapter 19.

Assistant City Attorney Victoria Hales inserted that the mixed use ordinance says parking must comply with Chapter 19.

Chairman Pro Tem Nathan Fisher inserted that Bob is pointing out that we have latitude to lower the requirement for the residential and guest parking. We need to address that component because we won't only be adjusting the two per unit but also the guest.

Councilman Joe Bowcutt said it sounds like there are a lot of questions on the mixed use and how we vote on this affects what happens in the future. It seems like these things need to be clarified.

Bob Nicholson this is the first mixed use project. Most cities of our size have mixed use. If there are questions we want to address them.

Councilman Joe Bowcutt clarified that no one is against the idea but there are some questions in the ordinance.

Chairman Pro Tem Nathan Fisher said we need to address the guest parking and use what Wes Davis has already researched so we know why it's worked. We should evaluate that information and address the guest parking.

Commissioner Todd Staheli inserted that would really affect the two and three bedroom units.

Chairman Pro Tem Nathan Fisher asked the applicant what research he has regarding parking.

Wes Davis said the research has been forwarded to staff. Most were 1 to 1.5 for commercial and residential because the peak times vary. This project has 2.5 -3 proposed. We would like to do less commercial because the market says it's not needed. We would do commercial on Tabernacle and 200 West only and have the rest as residential if we could. We spent months working on this ordinance.

Commissioner Todd Staheli asked if parking would change with a reduction to the commercial. Wes Davis said it would help.

Commissioner Ro Wilkinson said the growth of St. George is going to impact downtown. Will it sit empty?

Wes Davis said the study we conducted showed that this would be a great site for residential units. They suggested 160 apartments.

Commissioner Ro Wilkinson said they're in a great big metropolis. I don't know that our growth will accommodate that.

Wes Davis said there has been one apartment complex built each year since 2005 in St. George. 70% of the apartment market is open.

Assistant City Attorney Victoria Hales asked the applicant to address the details for the apartments.

Wes Davis replied that they're all leases. We will maintain control and manage them professionally.

Assistant City Attorney Victoria Hales asked if they will be long term leases.

Wes Davis responded they will not be vacation rentals. We don't want the high turnover.

Chairman Pro Tem Nathan Fisher asked Staff if the research submitted is something that can be given to the Planning Commission.

Bob Nicholson responded that the information isn't prepared to present but it is something the commissioners can get.

Commissioner Ro Wilkinson stepped out of the meeting at 7:04 pm

Chairman Pro Tem Nathan Fisher commented that the best way to address these concerns would be to see similar projects.

Wes Davis commented that one is from Georgetown. Their parking requirement was one for residential and 1.4 for office mixed. On the

Assistant City Attorney Victoria Hales stepped out at 7:04 pm

Chairman Pro Tem Nathan Fisher asked what the population of Georgetown is.

Wes Davis responded I can forward this information to you. Whatever the peak hour parking was constituted the max density.

Chairman Pro Tem Nathan Fisher asked what that would come out to.

Wes Davis said 1 – 1.5. Scottsdale, Arizona used a similar parking. That was 1.05.

Assistant City Attorney Victoria Hales returned at 7:06 pm

Wes Davis continued stating Hayward, California's mixed use max was 1.5 and they count off street parking as well. None of our research had over 1.5 and ours is over 2.

Chairman Pro Tem Nathan Fisher asked if there was any research done throughout Utah.

Wes Davis said he didn't find any online.

Chairman Pro Tem Nathan Fisher reiterated that what we have here is what we're approving so if you think we're missing something speak now before the motion is made.

Commissioner Diane Adams moved for a recess.

Commissioner Todd Staheli seconded the motion.

Meeting recessed at 7:09 pm

Meeting resumed at 7:23 pm

Commissioner Ro Wilkinson recused herself from voting on Items 6 and 7.

Chairman Pro Tem Nathan Fisher explained that Councilman Joe Bowcutt will now be a voting member. Anything going forward needs a unanimous vote.

Wes Davis said if there are any other questions we would like to address them tonight. If there are concerns we would like to hear them. If we can't address them tonight we would like to go back and work on them.

Councilman Joe Bowcutt asked what the phasing of this project will look like.

Wes Davis stated we can't build just the residential first. We have to phase it with the economics of it and the ordinance requirements.

Commissioner Diane Adams commented that the concept and the height is all one package. Would you consider less commercial and come down one story?

Wes Davis said if the ordinance read differently we could look at it.

Commissioner Diane Adams said that would resolve parking.

Commissioner Todd Staheli asked if that is something we can vote on to change the commercial.

Chairman Pro Tem Nathan Fisher answered that the commercial is per ordinance.

Bob Nicholson said the building height at three stories instead of four would be the conditional use permit, so you can make the recommendation for item 7A to City Council and they'll decide. Councilman Joe Bowcutt asked if the project can pass and then the conditional use for height can not be passed which would then make the original thing not approved. Non approval of the conditional use permit drastically changes the building design, conceptual site plan.

Wes Davis – the height and elevation requires 12' ground commercial in ordinance. Our project is lower than the courthouse. Wes explained elevations and such in reference to residences and sight distances. It is no more obtrusive to those on the south. Wes handed out the explanation of that.

Commissioner Diane Adams asked what the purpose of that thing on top is. Wes Davis commented that it's architectural.

Commissioner Todd Staheli said he likes the idea of bringing it down a story.

Assistant City Attorney Victoria Hales said the project size would have to reduce in proportion.

Commissioner Diane Adams asked what would happen if the project came down a story.

Wes Davis said the commercial is based on the footprint not the residential units.

Chairman Pro Tem Nathan Fisher stated it would improve the parking ratio.

Wes Davis countered that it would also reduce the density by 30% which would make the project not feasible.

Assistant City Attorney Victoria Hales stated that density is an issue that needs to be addressed.

Chairman Pro Tem Nathan Fisher opened the item up to the public to ask questions.

Diane Tew – I own property on 100 South. I think this would have a tremendous impact on traffic. We went through the neighborhood and took pictures of Bluff and Main – the only buildings on the sidewalk were Judds and the corner store on Main. The feeling with the setbacks is that it makes it not overwhelming so it feels like a neighborhood. I heard indication that the height of this would be less than Main Street Plaza.

Wes Davis inserted that Main Street Plaza is 71' in height.

Diane Tew continued saying being shorter than Main Street Plaza would block the mountain.

Wes Davis said the further away you get shouldn't impact.

Diane Tew added this will have a major impact on the neighborhood. The Villas has 42 units.

Assistant City Attorney Victoria Hales said she could ask questions of the applicant or staff.

Diane Tew said I just want it back from the sidewalk and shorter

Wes Davis said the project is designed per ordinance.

Chairman Pro Tem Nathan Fisher stated there was considerable effort in drafting this ordinance to try to create a manner to develop certain areas of the City that couldn't be developed any other way. Staff spent a lot of time looking at other cities to create this. That's why there are certain features such as the zero set back. It's not something that was just thrown together.

Wes Davis added that the elevation changes and green spaces above ground will make it look much softer than Main Street Plaza.

Assistant City Attorney Victoria Hales said if there are other questions for the applicant the Planning Commission will entertain those.

There were no further comments from the public.

Chairman Pro Tem Nathan Fisher returned the item to the Planning Commission.

Commissioner Diane Adams asked if in regards to density, can the Planning Commission limit the apartment mix.

Chairman Pro Tem Nathan Fisher stated that density is only units per acre.

Assistant City Attorney Victoria Hales advised it all is covered in this review so it's in the scope of what you can discuss and make findings and recommendations to City Council.

Chairman Pro Tem Nathan Fisher said if none of the ordinances apply do we have to drill down to the degree of the number of individuals who can be in a unit and who has to be related.

Assistant City Attorney Victoria Hales said those are covered in other places in the ordinances

Chairman Pro Tem Nathan Fisher added density is only the number of units per acre.

Commissioner Todd Staheli asked if all the parking is underground.

Wes Davis no there is surface parking.

Commissioner Todd Staheli asked if the underground parking is gated or open to anyone.

Wes Davis said that it hasn't been finalized but we do address ingress and egress with a key fob or something for the elevators.

Commissioner Todd Staheli asked if the area would be well lit.

Wes Davis said the area will be well lit and will also have cameras.

Commissioner Diane Adams asked if there is one ramp in and out for each building.

Wes D answered that the U shaped building has a ramp in on the west and the north. Building A has one and Building C has one.

Chairman Pro Tem Nathan Fisher clarified that Building B has two access points.

Wes Davis agreed that Building B had two accesses.

Alan Tew (resident) stated he works at Cinnamon Hills. We have a lot of delivery trucks that come in and out of our tiny driveway. With that much commercial is there accommodation for the truck traffic. How will that traffic impact the neighborhood?

Wes Davis replied there is a staging area for loading and unloading. We anticipate that the commercial users will be professional offices so there won't be a lot of deliveries that have that high truck usage.

Assistant City Attorney Victoria Hales stated the decision must be unanimous or there is an option to postpone.

Chairman Pro Tem Nathan Fisher added that it is the applicant's decision to table or not otherwise the vote must be unanimous.

Wes Davis asked what the consequences are.

Chairman Pro Tem Nathan Fisher said if you table it will table until the next meeting and you can address what you think you need to. If we go forward with the motion we can approve, approve with conditions or recommend denial.

Councilman Joe Bowcutt added that if you had a full quorum it would not have to be unanimous.

Bob Nicholson inserted that the parking issue ends at the PC per ordinance. The rest will go to CC.

Councilman Joe Bowcutt asked if it goes to City Council is it a public hearing.

Bob Nicholson stated no, none of this is technically a public hearing. So July 17 if it goes forward would be the conditional use permit for the height and the Mayor decides how much public comment he would like to entertain. The building design, conceptual site plan is not a public hearing.

Wes Davis asked if there are questions regarding the site plan that we should address.

Commissioner Todd Staheli said there are concerns with the parking but you've addressed them as best you can.

Commissioner Diane Adams inserted that we're still vague on the parking.

Bob Nicholson added that guest parking will have to be clarified concerning residential areas.

Wes Davis reminded all that there will be 288 stalls for 129 units and peak hour for residential and guests differ than the commercial.

Bob Nicholson said the Planning Commission can recommend that guest parking is not needed due to the commercial stalls.

Chairman Pro Tem Nathan Fisher addressed the application stating the question is still to the applicant to table or do you want us to move forward with a motion?

Wes Davis responded it doesn't sound like there are any other issues. We are well above and beyond other markets and we're below what the residential unit suggestion was from the research we've done.

Todd Staheli asked if the Planning Commission or realtor can determine what sort of commercial goes into this project. Can they restrict?

Assistant City Attorney Victoria Hales advised that City ordinance limits what is allowed in the C4 zone so the City can only limit to what is already written. The City wouldn't deny a business license to use these commercial if allowed in the C4 and they met the requirements. Whether or not the owner leases to a tenant is between the commercial tenant and the landowner – that's a private agreement and we don't have a position on that.

Bob Nicholson suggested that your hesitancy to make a motion shows you're uncertain so maybe this should be a work meeting item.

Chairman Pro Tem Nathan Fisher said again it's up to the applicant based on what you're not hearing as far a motion. Perhaps you table and schedule a work meeting in order to resolve some concerns.

Wes Davis asked if the work meeting is with City Council or Planning Commission. I've tried to do that and we were instructed to go through the process. We want to know the concerns so we can work on them.

Chairman Pro Tem Nathan Fisher said it has everything to do with the number of apartments and parking to make sure it works. A work meeting where we can look at this and discuss it would be beneficial. We may find out that there are some in Utah where we can understand it.

Wes Davis said we are open to that.

Bob Nicholson added that we can look at Provo and some other areas and we can look at theirs. Green Valley came years ago and asked for a reduction – staff doesn't usually support the reduction. I have a comfort level with this one. With 94 commercial spaces that will probably be vacant in the evening plus the number of 1 bedroom units. We can research and bring that forward.

Commissioner Diane Adams inserted that she has issues with the height. I know it's less than the courthouse and Main Street Plaza but I still think it's too tall. I would like to see some of the areas. I know it's hard to compare to some of the bigger cities. I would love to hear our other commissioners input as well.

Commissioner Todd Staheli said I would like to hear the other studies in the state of Utah. It's a different ball game when you're used to mass transit and walking. Even if you live downtown you have to drive to where you work.

Commissioner Diane Adams clarified that it's a beautiful project, please don't mistake that. Wes Davis said we have one person show up against this so that has to be considered that those around the area liked it.

Assistant City Attorney Victoria Hales asked if the applicant desires to withdraw and postpone. Wes Davis stated we would like to postpone.

Chairman Pro Tem Nathan Fisher suggested we schedule the work meeting right away.

Assistant City Attorney Victoria Hales noted the work meeting must precede the next Planning Commission meeting.

Chairman Pro Tem Nathan Fisher said we don't meet again until August 12.

Wes Davis restated that yes, we'll table.

Councilman Joe Bowcutt added that the concept I love. I have no challenge with that. There are people on the Commission who like the concept but just have questions.

Wes Davis said we will request that both items are tabled until the August 12 Planning Commission meeting.

Bob Nicholson said we'll pursue to see that there is a joint meeting on July 31.

Councilman Joe Bowcutt strongly urged that the meeting not be combined as the Planning Commissioners may not get their opinions heard and the parking is only a Planning Commission item.

Bob Nicholson said July 29 could be a possible work meeting for Planning Commission. Genna will coordinate the meeting.

The item was tabled until the next Planning Commission meeting (August 12, 2014). The applicant will attend a work meeting with the Planning Commission (tentatively July 29) and a work meeting with City Council (tentatively July 31) prior to returning to Planning Commission.

- B. Consider a request for a Conditional Use Permit to construct a **detached accessory structure** with a maximum wall height of sixteen feet (16') for a proposed RV garage, a wall height of eleven feet (11') for a proposed attached single car garage, a storage area, and an external outside fireplace. The maximum ridge height will be

approximately twenty-one feet (21') high. The structure will have 1,650 sq. ft. (RV garage, single car garage, & storage area). The property is Lot 601 in Stone Cliff subdivision located at the intersection of View Point Drive and Lepido Way. The applicant is S.G. Properties and the representative is Mr. Brent Baxter. Case No. 2014-CUP-013 (Staff – Ray S.)

Bob Nicholson presented item 7B.

The conditional use permit is for the overall height of 21'. This lot has triple frontage. They're coming forward for the overall height which is over the 15' max unless granted by the conditional use permit. Distance from the main dwelling is approx 41' the tallest portion will be for the RV garage. The height will be 21' for the RV. It is not within any city easements.

Chairman Pro Tem Nathan Fisher asked if the design is similar to the house.
Bob Nicholson said he believes it is.

Chairman Pro Tem Nathan Fisher asked what the elevation change is at the round about.
Bob Nicholson stated the applicant can address that. The building is a single story.

Commissioner Todd Staheli asked which side faces the neighbors.
Brent Baxter (representative) stated the east.

Chairman Pro Tem Nathan Fisher asked if you see the shorter side from the street.
Bob Nicholson continued stating there were three letters of opposition. One thought it should go to the architectural control board for the area.

Assistant City Attorney Victoria Hales inserted that the City is not involved in the private agreement between the HOA and home owners.

Councilman Joe Bowcutt asked where access to the house is.

Brent Baxter stated the squared out section is the driveway. There was an original plan where this was attached to the house. The plans had a flat roof and we had to come in and make a pitched roof. That makes the house and garage aesthetically similar. We have downsized the garage from the original plans when it was attached to the house. Because of the height we were asked to come present this so now you can understand why we're here. We're complying with the setbacks and there are similar detached garages in the area. The HOA measures from the pad on site not the curb. We got approved from the top of curb to the top of slab. The neighbor concerns, I don't know how we can accommodate not blocking views. The garage itself has no further impact than the house.

Commissioner Todd Staheli asked if the HOA height limitation is higher than the City limit.
Brent Baxter responded the HOA just wanted us under the 25' we didn't find it in the CCRs yet. I don't know if that's an issue but the Stone Cliff HOA will have to approve the plans upon your approval.

Commissioner Ro Wilkinson asked the applicant about a complaint from a neighbor stating the floor of the RV garage is 8-10' above the street level making the structure about 30' high. Brent Baxtor addressed the question; the original top of curb versus the slab. We dropped the whole elevation down 2'. The top of the slab versus curb is 7' and then we drop the garage so it's only 5.5' from the curb and that's for ease of getting into the garage.

Chairman Pro Tem Nathan Fisher inserted that really this lot just sits higher naturally. Brent Baxter agreed. It's not as much as the impact as the letter states.

Assistant City Attorney Victoria Hales noted that we're considering the height of the building not the height of the pad.

MOTION: Commissioner Diane Adams made a motion to approve the conditional use permit 7B subject to the aesthetics being similar to the main dwelling, the building height of approximately 21' and that the detached structure is within the existing character of the zone.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Motion passes.

ADJOURN

MOTION: Commissioner Diane Adams made a motion to adjourn.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES (4)

Commissioner Ro Wilkinson

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Todd Staheli

NAYS (0)

Meeting adjourned at 8:23 pm.

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
July 29, 2014 – 5:00 PM**

PRESENT:

Commissioner Ro Wilkinson
Commissioner Don Buehner
Chairman Pro Tem Nathan Fisher
Commissioner Diane Adams
Commissioner Julie Hullinger
Commissioner Todd Staheli
Council Member Joe Bowcutt

CITY STAFF:

Development Services Manager Wes Jenkins
Community Development Coordinator Bob Nicholson
Project Manager Todd Jacobsen
Planner II Ray Snyder
Assistant City Attorney Victoria Hales
Administrative Secretary Genna Singh

EXCUSED:

Chairman Ross Taylor

FLAG SALUTE

Chairman Pro Tem Nathan Fisher called the meeting to order at 5:05 pm and asked Commissioner Ro Wilkinson to lead the flag salute.

1. **FINAL PLAT AMENDMENT (FPA)**

Consider approval of a final plat amendment to “**Vacate a ROW and easement along 3000 E**” a previously recorded residential subdivision final plat. The representative is Mr. Roger Bundy, R&B Surveying. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size and is located on the east side of 3000 East St. and south of Seegmiller Drive. 2014-LRE-012 (Staff – Todd J.). *(Note: Public hearing at CC)*

Todd Jacobsen presented the following:

This will vacate a portion of 3000 E and the easements associated with it. This is near the Cornerstone subdivision. When Cornerstone vacated the original subdivision years ago the City retained some easements (the cross hatched portion on the graphic). This was retained for a trail which is no longer in the master plan. We want to vacate this portion of 3000 E and the easement and then when Cornerstone is developed the City will get some of it back.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 1.
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SECONDED: Commissioner Diane Adams seconded the motion.

AYES (6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion passes.

2. **MIXED USE BUILDING DESIGN CONCEPTUAL SITE PLAN / PROJECT DENSITY / PARKING APPROVAL (BDCSP / DEN / PRKG)**

Consider approval of the building design, conceptual site plan and residential density for a mixed use (commercial & residential) project called “**Joule Plaza**” located on approximately 3.9 acres between 200 West and 300 West Streets and south of Tabernacle Street in the commercial C-4 zone. Also, consider a request for a parking ratio of 1.5 parking spaces per residential unit, rather than 2 spaces per unit. The applicant is Dixie Sun Ventures, and the representative is Mr. Wes Davis. Case No. 2014-BDCSP-004 (Staff – Bob N.)

Bob Nicholson approached and asked that Item 3 for a Conditional Use Permit be heard prior to Item 2. (See Item 3)

Item 3 was heard. A motion was not made as the commissioners want to hear Item 2 first.

Bob Nicholson stated that this approval has three components: building design, project density and parking. The building design was addressed by the flyby as well as the drawing on the board and the display board. There’s some sandstone and other materials. They are proposing 129 residential units. Each building is four-stories.

Ben Rogers (representative) stated that as we approached this project we started looking at how to break up the façade so that it looks like a row of houses or smaller buildings. We also added in terraces and greenery to soften the edge. There are six locations that occupants can go to enjoy the outdoors. The colors are intended to blend in with the local environment. Stucco and siding hold up well in this area. We are proposing materials and finishes that have a lasting quality.

Chairman Pro Tem Nathan Fisher reminded commissioners that this is the time to discuss design and color scheme as the applicant needs to know now as what is presented and approved will be built.

Bob Nicholson added that we’re also looking at the site plan. The code requires a minimum of 20% landscaping and they have 30%.

Chairman Pro Tem Nathan Fisher asked if there will be angle parking on Tabernacle.

Bob Nicholson said it can be angle parking and we see a benefit from that as it will help slow traffic down. It will also give a more walk-able feel.

Chairman Pro Tem Nathan stated angle parking would be nice. Building A will have commercial right?

Bob Nicholson responded yes. The ground floor of Building A is all commercial. Portions of the ground floor of Buildings B and C are commercial.

Chairman Pro Tem Nathan Fisher noted that if residents are parking by Building A it won't allow as much parking for commercial traffic.

Wes Davis inserted that residents will be encouraged to park underground or toward the back of the project.

Commissioner Todd Staheli asked if there will be designated parking underneath.

Commissioner Diane Adams noted that we did mention that last time that we would like designated parking for at least 1 space per unit that is marked.

Councilman Joe Bowcutt asked if on the public road, can parking be designated?

Wes Davis said no we can't on the public road, but we can control the interior parking saying unit 1 parks in stall 1.

Bob Nicholson addressed the site plan stating there is underground parking for all three buildings. There are 288 total parking spaces. Our code requires that each dwelling unit has one covered stall. There was discussion last time about parking in various cities outside of Utah. We put together a chart of cities in Utah for comparison. We looked at St. George, Ogden, Orem, Provo and Salt Lake.

Ogden – downtown parking ranges from 1-1.5 with no visitor parking requirement. Total parking there would require 223-269 spaces.

Orem – each zone has unique parking and landscape standards. I talked to a planner there and PD-23 would have mixed use and it is all laid out in their code. PD-34 which also has mixed use requires 1.49 spaces per dwelling unit. In that case the commercial requirement was less. Assuming the zone were PD-34 they would be required 194 residential spaces for a total of 288 spaces which is what the applicant is proposing.

Provo – 2 spaces per dwelling unit plus 1:4 guest parking which was reduced so they require 239; fewer spaces than what the applicant proposes for this project

Salt Lake – has a greater transit system so it's more difficult to compare

The applicant's request for 288 spaces seems to be in line with the research I've done.

We don't count street parking or surrounding blocks but in reality it is there. We do think Tabernacle would benefit from angle parking which could help. There is a shared benefit from the commercial and residential parking. Office space parking stalls are used during the day when residential parking is used at night.

Commissioner Todd Staheli asked legal if for example I'm a restaurant owner wanting to go there - if there's one parking space per residential unit can I claim the remaining parking as open? Is it all just public parking?

Assistant City Attorney Victoria Hales said you may not want to, by changing the parking requirement, effectively zone out a restaurant or café that you may want downtown.

Commissioner Todd Staheli continued, so if a restaurant is there the shared benefit doesn't exist.

Assistant City Attorney Victoria Hales agreed. This is bulk commercial parking. They're asking for a reduction in residential and guest parking and they aren't saying you can never have a restaurant.

Commissioner Todd Staheli asked if a restaurant came in how does that impact the residential and guest parking.

Bob Nicholson inserted they have calculated parking using their commercial floor area. The 94 spaces is based on 1:250 which is typical office or retail. Restaurants require 1:100 but a furniture store or something requires less. It all depends on the mix of commercial tenants. The commercial tenants have to fit in the 94 spaces.

Chairman Pro Tem Nathan Fisher asked that if parking is approved as proposed, is it segregated between the residential and commercial.

Assistant City Attorney Victoria Hales said yes. If for instance you reduce the residential parking to 1.5 stalls per unit then the balance of the parking would be commercial. What he is asking is if you can potentially prevent a restaurant because the required parking, and that is hypothetically possible. You're proposing a density with the number of units and then you're presuming that the commercial will be office and retail and designate this much parking for those uses, but some other uses require more, so it could average out, but it may not.

Chairman Pro Tem Nathan Fisher asked if it is segregated. So if they build and the first tenants to go in are commercial businesses and not residents, can that person say I have 250 stalls here so I can do whatever I want? Or will it be identified that there are only 94 commercial spaces.

Bob Nicholson added that they would be tracked separately. The commercial has to fit within the 94 commercial spaces. How that works out we'll have to see. They may be limited to not have a restaurant but it can average out.

Wes Davis approached to state that over time the tenant mix will change. In addition to what Bob provided I looked into other cities in northern Utah and our request does fall in line with other cities.

Wes Davis handed out a parking analysis

The analysis shows percentage usage per residential or commercial tenant throughout the day.

Wes Davis went over the information on the analysis

Wes Davis continued stating there should be more than ample parking even if a restaurant were to operate in this project. We feel there is more than ample parking to support the project even if we have 100% occupancy in both the commercial and residential units.

Commissioner Todd Staheli asked if guest parking is figured into the analysis. If 50% of the residential tenants had guests they would occupy 60 more stalls.

Wes Davis responded there would still be 36 vacant stalls.

Commissioner Julie Hullinger asked if this includes off street parking. Wes Davis said no, adjacent or street parking is not in the calculation.

Commissioner Diane Adams asked legal if the Planning Commission can request that parking be designated for the residents.

Assistant City Attorney Victoria Hales responded that the code does allow the Planning Commission to reduce the number of parking stalls from 2 down to 1.5 per residential unit. You can reduce the parking subject to a condition. There is nothing in the code that addresses reducing the covered parking requirement which is 1 per unit.

Chairman Pro Tem Nathan Fisher asked if the applicant meets the covered parking requirement. Wes Davis said that we exceed the covered parking.

Assistant City Attorney Victoria Hales said it is in your purview.

Commissioner Todd Staheli mentioned that Main Street Plaza has assigned parking.

Assistant City Attorney Victoria Hales inserted that guest parking is a Planning Commission recommendation with City Council final approval. You can reduce guest parking if you find evidence of the reduction. Both requests are before you today.

Bob Nicholson said that the guest parking is tied into the parking issue and it'll all go to City Council.

Chairman Pro Tem Nathan Fisher noted that the request is to waive visitor parking.

Wes Davis added that the vacancies in parking stalls are given the usage but the number of stalls is per code. We are not asking for a reduction in the commercial. We ask that 2 stalls go to 1.5 per residential unit and then elimination of the guest parking. The usage will work. We are not opposed to designating the residential parking. We feel there is more than ample parking.

Commissioner Todd Staheli asked what security measures are being taken for the parking.

Wes Davis responded that we are exploring our options there. It won't be wide open. It is private property and we do want to take care of it.

Commissioner Diane Adams noted that the City asked online today what the public wanted downtown and bicycle parking was popular. Are you looking at that?

Wes Davis said we do have some corridor areas that could have bicycle parking.

Assistant City Attorney Victoria Hales reminded the Planning Commission that the motion tonight is for density, height, parking code including any reduction for residential and guest parking, and findings for the conditional use permit.

MOTION: Commissioner Diane Adams made a motion to approve the building design and conceptual site plan, the residential density, the reduction of the parking ration from 2 to 1.5 per residential unit, the conditional use request for height not to exceed 54' subject to findings D and G, and a waiver of guest parking supported by the provided report from the applicant that ran through the hourly usage rates regardless of the businesses that may go into this project and to support the conditional use for height as there are other buildings in the downtown area that are taller than requested.

SECONDED: Commissioner Julie Hullinger seconded the motion.

Commissioner Diane Adams added the condition that at least 1 stall per residential unit must be reserved and must be covered.

Commissioner Julie Hullinger agreed to the addition.

Commissioner Don Buehner asked the applicant if the amendment is feasible for the project. Randy Wilkinson said that will be fine.

AYES (5)

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

RECUSED (1)

Commissioner Ro Wilkinson

Motion passes for Items 2 and 3.

Bob Nicholson noted that this will go to City Council on August 07, 2014.

3. **CONDITIONAL USE PERMIT (CUP)**

Consider a request for a conditional use permit to construct three buildings which exceed a height of 35', in a mixed-use project called "**Joule Plaza**" located between 200 West and 300 West on the south side of Tabernacle Street in a commercial C-4 zone. The main building located along Tabernacle Street proposes a height up to fifty-four feet (54') to roof peak, and the two interior buildings, located to the rear of the main building would have heights of approximately fifty feet (50'). The applicant is Dixie Sun Ventures, and the representative is Mr. Wes Davis. Case No. 2014-CUP-014.

Bob Nicholson presented the following:

The property is between 200 W and 300 W and takes everything north of the homes on 100 S. There is an existing office building on the corner which is not part of it. Across the street to the north is the Fifth District Courthouse. That parking lot is not full often and is not counted in the calculations but is there if needed. To the west of the property is a Washington County School District building for adult education. Adjacent to the adult education building there will be a hearing aid office. To the east is town square and the school district building.

In terms of building heights; the school district and the old Woodward school are three-stories as well as the library and a few other buildings.

This project will have three buildings. Buildings B and C are primarily residential with parking in the rear.

Bob Nicholson went through the photo simulations

Commissioner Ro Wilkinson recused herself from Items 3 and 2

Bob Nicholson showed the fly around video of the project

Diane Adams asked what the barrier between the houses and the complex will be.
Chairman Pro Tem Nathan Fisher said there will be parking.
Wes Davis added there will also be landscaping.

Bob Nicholson noted that in terms of the downtown area there are three buildings taller than the proposed project. Main Street Plaza, Tabernacle Towers and Village Bank are each taller. Councilman Joe Bowcutt asked how tall the courthouse and Board of Education buildings are. Bob Nicholson said the courthouse is higher than Joule Plaza. Because the Board of Education building is State property we didn't do a design review as they are exempt from local zoning regulations.

Chairman Pro Tem Nathan Fisher asked where the height is measured from.
Bob Nicholson responded from sidewalk to the top of the roof on a flat roof like this.
Don Buehner asked which building the Gardner Building is as referenced in the submitted letter.
Bob Nicholson said that's Main Street Plaza.

Wes Davis added that the one thing I wanted to bring up is that letters did go out to the neighbors regarding height. Mr. and Mrs. Tew came in concerned about the setback but other than that people were not concerned with the height. It is in line with the vision of what is wanted for downtown.

Randy Wilkinson stated the zero setback is from the street itself not from the back property line there at 100 S. That has over 100' there.
Wes Davis stated the graphic in your packet shows the line of sight of the project from the homes on 100 S. The building doesn't stand out like a sore thumb.
Councilman Joe Bowcutt asked when the letters went out.
Wes Davis responded the City sent them at least 10 days prior to the last meeting.
Councilman Joe Bowcutt noted his surprise that only the Tews were concerned.
Wes Davis stated that we've had a few phone calls but we've shown them what we're planning to do and they seem to like it.

Commissioner Don Buehner inserted there is a letter suggesting the height is too high from an Emily Cox but it doesn't say if she's an adjacent property owner.
Chairman Pro Tem Nathan Fisher said she's just trying to express her feelings for what the atmosphere should be downtown which is understandable.
Randy Wilkinson said that the Cox family lives on the corner of 100 S and 200 W.

Chairman Pro Tem Nathan Fisher asked the commissioners if they would like to make a motion now or hear Item 2 first and make a joined motion.

Discussion on how to go about the motion

Decision was made to hear both items before making a motion

Bob Nicholson added that as a staff member I am in favor of the height request. As we grow and change some taller buildings in downtown are to be expected.

**Item 2 will now be heard. Please go to Item 2. **

4. **MINUTES**

Consider approval of minutes from the March 25, 2014; May 27, 2014; June 10, 2014; and June 24, 2014 meetings.

No edits were suggested.

MOTION: Commissioner Ro Wilkinson made a motion to approve the minutes.

SECONDED: Commissioner Diane seconded the motion.

AYES (6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion passes.

ADJOURN

MOTION: Commissioner Diane made a motion to adjourn.

SECONDED: Commissioner don seconded the motion.

AYES (6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Meeting adjourned at 6:26

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
August 12, 2014 – 5:00 PM**

PRESENT:

Commissioner Ro Wilkinson
Commissioner Don Buehner
Chairman Pro Tem Nathan Fisher
Commissioner Diane Adams
Commissioner Julie Hullinger
Commissioner Todd Staheli

CITY STAFF:

Development Services Manager Wes Jenkins
City Surveyor Todd Jacobsen
Planner II Ray Snyder
Assistant City Attorney Victoria Hales
Administrative Secretary Genna Singh

EXCUSED:

Chairman Ross Taylor
Council Member Joe Bowcutt
Community Development Coordinator Bob Nicholson

FLAG SALUTE

Chairman Pro Tem Nathan Fisher called the meeting to order at 5:01 pm and asked Commissioner Don Buehner to lead the flag salute.

1. **FINAL PLATS (FP)**

- A. Consider approval of a final plat for “**Cornerstone Phase 1**” an eighteen (18) lot residential subdivision. The representative is Mr. Roger Bundy, R & B Surveying. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at the southwest corner of the intersection at Seegmiller Drive and 3000 East Street. Case No. 2014-FP-045. (Staff – Todd J.).
- B. Consider approval of a final plat for “**Meadow Valley Farms Phase 4**” a sixteen (16) lot residential subdivision. The representative is Brad Petersen, Development Solutions. The property is zoned RE-20 (Residential Estates 20,000 sq. ft. minimum lot size) and is located at 3910 South Street and 2420 East Street (Little Valley area). Case No. 2014-FP-041. (Staff – Todd J.).
- C. Consider approval of a final plat for “**Riverside Cliffs Phase 2**” an eight (8) lot residential subdivision. The representative is Mr. Rob Reid, Rosenberg Associates. The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size)) and

is located at approximately 1220 South (between the Virgin River and Riverside Drive). Case No. 2014-FP-046. (Staff – Todd J.).

- D. Consider approval of a final plat for “**Sage Meadows Phase 3**” an eighteen (18) lot residential subdivision. The representative is Mr. Scott Woolsey, Alpha Engineering. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at 2940 East and approximately 1880 South (north of Crimson View Elementary School). Case No. 2014-FP-040. (Staff – Todd J.).
- E. Consider approval of a final plat for “**The Garages at Sun River Storage Phase 1**” a sixteen (16) unit subdivision final plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-C & PD-R (Planned Development Commercial and Residential) and is located west of Fire Station 8, which is on Bluegrass Way at approximately 1150 West (Sun River Development). Case No. 2014-FP-026. (Staff – Todd J.)

Todd Jacobsen added that as far as the water for the garages – there will be one meter per two units for the garages.

Commissioner Diane Adams asked how many lots are being approved for Riverside Cliffs Phase 2. Todd Jacobsen said 22 lots as shown not the 8 that is written in the text.

Assistant City Attorney Victoria Hales added that the items are subject to legal approval.

MOTION: Commissioner Julie Hullinger made a motion to approve Items 1A through 1E conditioned upon legal approval and authorize chairman to sign.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES (6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion passes.

FINAL PLATS (FP) ADDENDUM 1

- F. Consider approval of a final plat for “**Sun River St. George Phase 44**” a twenty-three (23) unit subdivision final plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located east of Pearl Vista Drive and south of Angel Arch Dr at approximately 1400 West and 5000 South (Sun River Development). Case No. 2014-FP-032. (Staff – Todd J.)

- G. Consider approval of a final plat for **“Sun River St. George Phase 45”** a twenty-four (24) unit subdivision final plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located east of Pearl Vista Drive and south of Angel Arch Dr at approximately 1400 West and 5100 South (Sun River Development). Case No. 2014-FP-033. (Staff – Todd J.)
- H. Consider approval of a final plat for **“Jiffy Lube at River Road”** a one (1) lot commercial subdivision final plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-C (Planned Development Commercial) and is located at 1393 South River Road. Case No. 2014-FP-036. (Staff – Todd J.)

Chairman Pro Tem Nathan Fisher asked if we just approved the Preliminary Plat for Jiffy Lube.
Todd Jacobsen said yes.

Commissioner Diane Adams asked if approval is conditioned upon legal review.
Assistant City Attorney said the items are subject to legal review.

MOTION: Commissioner Diane made a motion to accept Addendum 1 for Items F,G, and H subject to legal approval and authorize chairman to sign.

SECONDED: Commissioner Todd Staheli seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion carries.

FINAL PLATS (FP) ADDENDUM 2

- I. Consider approval of a final plat for **“Las Colinas Phase 4”** a seven (7) lot residential subdivision final plat. The representative is Mr. Brad Peterson, Development Solutions. The property is zoned PD-R (Planned Development Residential) and is located at Las Colinas Dr and 890 West Circle. Case No. 2014-FP-049. (Staff – Todd J.)

Todd Jacobsen added that there is an existing trail and sewer that has been dedicated to the City.

Assistant City Attorney said this item is also subject to legal review.
Commissioner Don Buehner asked if this is for only lots 402 and 407.
Todd Jacobsen said it's for all 7 lots.

MOTION: Commissioner Don Buehner made a motion to approve subject to legal review, Item 1I and authorize chairperson to sign.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion carries.

2. PRELIMINARY PLAT (PP)

- A. Consider approval of a preliminary plat for “**Desert Crest**” a sixteen (16) lot residential subdivision. The applicant is Quality Development LLC and Mr. Ken Miller is the representative. The property is on 4.625 acres and is zoned PD-R (Planned Development Residential) and is located south of the Southern Parkway along South Desert Canyons Parkway. Case No. 2014-PP-032 (Staff Wes J.)

Wes Jenkins stated that for your reference the Desert Canyons overall zoning map is also on the wall. They have chosen to down zone this subdivision. On these subdivisions, as they come in, they are required to dedicate an area of 15% of the subdivision’s area to open space.

Chairman Pro Tem Nathan Fisher asked if that 15% is within that subdivision or the overall project. Wes Jenkins said it can be the whole area. On the PD there are the architectural renderings of what the buildings will look like.

Chairman Pro Tem Nathan Fisher asked if there should also be a narrative.

Wes Jenkins responded that on this PD-R it’s just the renderings. It is subject to legal review.

MOTION: Commissioner Ro Wilkinson made a motion to accept Item 2A the Preliminary Plat acknowledging that 15% must be dedicated to open space and subject to legal review.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion carries.

- B. Consider approval of a preliminary plat for “**Desert Rim**” a twenty-nine (29) lot residential subdivision. The applicant is Quality Development LLC and Mr. Ken Miller is the representative. The property is on 11.87 acres and is zoned PD-R (Planned

Development Residential) and is located south of the Southern Parkway off of Desert Canyons Parkway. Case No. 2014-PP-033 (Staff Wes J.)

Wes Jenkins said the road there is designated as a 66' road. They will also need to dedicate 15% open space and it will fall within the green area of the overall plan.

Chairman Pro Tem Nathan Fisher clarified that it's not all of the green area. Does each subdivision take part of that area?

Wes Jenkins answered that they pull from that area. The lots on the 66' road will have to have a circular drive. There is a fair amount of grading. Between Deserts Edge and Desert Rim there is an elevation change between 10' and 20'.

Chairman Pro Tem Nathan Fisher asked about the renderings for this plat.
Wes Jenkins said it's the same as the previous plat.

Commissioner Ro Wilkinson questioned how the grade change will affect the lower lots and how the water run-off is accounted for.

Wes Jenkins stated that they'll have to address the slopes to make sure they're stable and they'll have to account for erosion as well.

Commissioner Diane Adams asked how many residences are planned in this area.

Wes Jenkins replied that the number has changed due to developer preference. They have chosen to down zone due to market conditions for their densities. You'll have fewer units out there now than the original plan.

Assistant City Attorney Victoria Hales added that this is subject to legal approval.

MOTION: Commissioner Diane Adams made a motion to accept Item 2B for approval for Desert Rim subject to legal approval.

SECONDED: Commissioner Ro Wilkinson seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion passes.

3. ZONE CHANGE(ZC) PUBLIC HEARING

Consider a zone change from A-1 (Agricultural 40,000 sq. ft. minimum lot size) and RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) to RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) on 46.67 acres. The property is located between 2580 East

and 2790 South and the River Hollow Subdivision. The applicant is **MK Cox Development** and Rosenberg Associates is the representative. Case No. 2014-ZC-010. (Staff – Ray S.)

Ray Snyder stated the majority of the subject land is A-1. A part of it is RE-12.5. It looks to be a straight forward zone change.

Commissioner Ro Wilkinson noted that letters were sent to surrounding property owners. Were there any comments?

Ray Snyder said that no neighborhood comments were received or heard.

Chairman Pro Tem Nathan Fisher asked the applicant, Skyler, why it's all going RE-20. Skyler Lawrence said we thought that would give us the most flexibility with what we want to do. There is a large home there that we would like to preserve the value of that home and we envision the larger lots.

Assistant City Attorney Victoria Hales reminded the commission that this is a public hearing.

Chairman Pro Tem Nathan Fisher opened the item up to the public for comments.

There were no public comments.

Chairman Pro Tem Nathan Fisher closed the item.

MOTION: Commissioner Don Buehner made a motion to recommend to City Council approval of Item 3, a zone change for MK Cox Development.

SECONDED: Commissioner Julie Hullinger seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion passes.

4. **CONDITIONAL USE PERMITS (CUP)**

- A. Consider a request for a Conditional Use Permit to use a **Landmark Site** (The Julia Graff Home) for a vacation rental. The property is located at 252 N Main Street and is zoned RCC (Residential Central City). The applicants are Mr. and Mrs. David Walker. Case No. 2014-CUP-015 (Staff – Ray S).

Note: Reference recent landmark designation approval by CC on 7/17/14.

Ray Snyder presented the following:

City Council recently approved this as a landmark home. Now they want to use it as a vacation rental, bed and breakfast type use. This is located behind the Opera House. It was built in 1870 and there is already a plaque there describing the property. There are several other Landmark Sites that operate as vacation rentals or bed and breakfasts. The house is located in an RCC zone and it is allowed according to code. 10-7-F2 says any permitted conditional or accessory allowed under article B is allowed in the RCC zone. Section 10-21-3 seemed to pertain to this which is why they are listed in your packet. If the conditional use permit is recommended for approval it will need to have the findings associated. Items A-K – most not applicable. Item G the height won't change. J – they must maintain the historical character of the home.

Chairman Pro Tem Nathan Fisher asked if, for the bed and breakfast, the owner must reside on the property.

Ray Snyder said that he will have to find out if that is their intent; it may be subject to legal review.

Commissioner Don Buehner asked if there is a difference between short term rentals and bed and breakfasts.

Assistant City Attorney Victoria Hales said that legal will look into it.

Chairman Pro Tem Nathan Fisher asked if we should make a motion subject to legal review or wait for legal to advise the Commission.

Assistant City Attorney Victoria Hales said that it's up to the Commission.

Chairman Pro Tem Nathan Fisher noted that it would be faster for the applicant if we made the motion subject to legal tonight so they didn't have to come back to another Planning Commission meeting.

Assistant City Attorney Victoria Hales said that is correct.

Commissioner Todd Staheli agreed that the motion should be made tonight.

Chairman Pro Tem Nathan Fisher asked if there are any issues doing it that way.

Assistant City Attorney Victoria Hales said no because it's a recommendation to City Council. If there are issues we can address it at the City Council meeting.

Commissioner Ro Wilkinson noted that the minimum stay of 3 days is commendable.

Commissioner Don Buehner said that as far as parking is concerned; this home has the typical narrow driveway and can probably fit two cars. We don't want street parking but if it's a vacation rental for a single family it should be okay.

Ray Snyder stated that we don't know.

Commissioner Don Buehner said if multiple people stayed there it could be a problem.

Ray Snyder agreed.

Commissioner Don Buehner asked if there can be a condition that parking can only be on property.

Ray Snyder noted that when we site review we only look at one site parking not off site.

Chairman Pro Tem Nathan Fisher stated we can condition it. Any conditional use has to provide mitigation for potential problems. You can add it as a condition and it will go through legal and it can be addressed at City Council.

Assistant City Attorney Victoria Hales added there are other ordinances that raise some issues for a short term rental and it will all be under legal review.

Chairman Pro Tem Nathan Fisher asked what the width of the road that fronts the house is.

Wes Jenkins responded that Main Street is a 90' but the driveway is on 250 North.

Commissioner Diane Adams noted that there is the potential to have the on-site person who needs to live there stay above the garage.

Chairman Pro Tem Nathan Fisher said I know it's not an overlay zone but I think it has to have a 66' road to be considered for short term.

Assistant City Attorney Victoria Hales said that may not apply in this zone.

Chairman Pro Tem Nathan Fisher said if it's a spot item it seems there were conditions like the width of the road and neighbor approval. The street seemed to come up in Bloomington where the neighbors were okay but the street was too narrow. That might be something to look at.

Assistant City Attorney Victoria Hales said I'll have to look into it.

Chairman Pro Tem Nathan Fisher added that even a short term rental in normal residential zones have to meet certain criteria.

Ray Snyder said in 10-14-22D the requirements are listed: prohibited in residential zone unless meets requirements – D2A required to be located on 2+acre lot, contiguous to and fronts on a major collector or arterial street, etc.

Chairman Pro Tem Nathan Fisher noted that maybe this doesn't apply.

Assistant City Attorney Victoria Hales said that D1 and D2 may not apply so I'll have to look through it. It's possible that it may be premature.

Chairman Pro Tem Nathan Fisher said it looks like the main issue is ordinance compliance. We can move forward and leave it up to legal and City Council which would allow the applicant to move forward and not wait for us.

Commissioner Don Buehner said I think it's fitting to move ahead with the motion and I suggest that finding E regarding safety also be listed to keep parking off the road so there are not traffic safety issues and then finding J to maintain the character of zone.

Chairman Pro Tem Nathan Fisher noted that the motion needs to account for mitigation of the concerns and how to mitigate.

MOTION: Commissioner Don Buehner made a motion to recommend to City Council approval of the conditional use permit with the specific conditions of E safety and recommend that any cars associated with this be parked in the driveway and not on the street and J to maintain the character and purpose of the zone that this is in keeping the concept of the area but needs to be subject to legal approval.

SECONDED: Commissioner Diane Adams seconded the motion.

Commissioner Todd Staheli asked if the condition of owner occupancy should be stated.

Chairman Pro Tem Nathan Fisher answered that legal can handle that as an ordinance issue.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion carries.

- B. Consider a request for a Conditional Use Permit to construct a **detached accessory structure** with a maximum ridge height of approximately eighteen feet two inches (18'-2") for a proposed RV / horse trailer / tractor storage building. The structure will be metal and have 1,050 sq. ft. (30 ft. x 35 ft.) The property is located at 3030 Sugar Leo in the Bloomington Ranches area and is zoned RE-37.5. The applicants are Mr. and Mrs. Danny Holt. Case No. 2014-CUP-016 (Staff – Ray S.)

Ray Snyder stated that the structure seems reasonable in this area. This structure won't match the house materials as most do in higher density areas.

Wendy Holt the structure will be the same color as the barn and the home.

Commissioner Don Buehner noted the colors you picked seem to be consistent but did you look at other materials?

Wendy Holt responded that cost was an issue. This can be done quickly. We want to place it where our horse trailer is now.

Commissioner Don Buehner asked if the applicant researched the difference between the metal and the material of your home.

Wendy Holt responded no.

Commissioner Ro Wilkinson asked if it is hidden towards the back of the property.

Wendy Holt said it's almost 200' back from the barn.

Commissioner Diane Adams asked if the path to the structure will be paved.

Wendy Holt answered that the structure will be on a cement pad and there's a road base path to it.

Assistant City Attorney Victoria Hales asked staff if the structure meets the setback requirements contained in City ordinance.

Ray Snyder said it will be 10' from the west property line.

Commissioner Don Buehner added that he is concerned that there are some metal structures out there but there are not many. I think the metal material is not in keeping with the overall look and feel of the area. I would encourage there to be some research into other options.

Chairman Pro Tem Nathan Fisher added that is concerned as well. Are there many metal structures out there? I know it will have the same color as the house but it'll be 18' high and a neighbor with a wall won't be able to block that. What other properties out there have metal structures?

Ray Snyder said staff will have to go out into the field to present that information.

Commissioner Don Buehner commented that he did drive around the area. Bloomington Elementary is near there and they have the metal face to the top but it has brick underneath and it ties into the greater building. There is metal out there but the elementary is the only newer looking one. There are many old ones but most have the same material as the home.

Ray Snyder commented that you can recommend denial or approval or table for time to research.

Chairman Pro Tem Nathan Fisher said we could also condition that City Council review the material.

Assistant City Attorney Victoria Hales noted that 10-7B-6B.8 states the exterior look shall be similar to the main structure. It is your decision if it is similar to the primary structure.

Commissioner Todd Staheli commented there are some buildings out there that are metal but you don't see it with the mature trees. My neighbor has a metal structure in his yard.
Commissioner Don Buehner asked if the structure has been there many years or if it is new.
Commissioner Todd Staheli replied it was there pre flood and then rebuilt post flood.
Commissioner Ro Wilkinson asked if the structure bothered Commissioner Staheli.
Commissioner Todd Staheli said not really because it's horse property out there.

Commissioner Ro Wilkinson stated that comment number 5 says the detached shall be metal with brown roof. So if it blends what difference does the material make?
Wendy Holt said there are quite a few there and they are the same colors but metal. They're all back behind the houses and protected by trees.
Chairman Pro Tem Nathan Fisher asked if they are all metal as well.
Wendy Holt responded yes.

*Wendy showed the pictures to the Planning Commission on her phone
Don Buehner showed pictures on his phone*

Wendy Holt added that they are hiring out not doing the work as owners.
Assistant City Attorney Victoria Hales corrected her previous statement noting that she was reading in the Residential code (7B) not the Residential Estates code (7A) so the similar materials requirement language is applicable.

Commissioner Don Buehner added that Sugar Leo is a beautiful area in the City and noted that should we send the recommendation to City Council I suggest you look at other options in case they raise the same questions.

MOTION: Commissioner Ro Wilkinson made a motion to accept the conditional use permit for the garage height and suggest that they look at other materials prior to City Council and base approval on comments from staff, commissioners, and legal counsel.

*Chairman Pro Tem Nathan Fisher asked if the findings are addressed.
Commissioner Ro Wilkinson said yes, I accept those comments as well as the height.*

SECONDED: Commissioner Julie Hullinger seconded the motion.

AYES(6)

**Commissioner Ro Wilkinson
Commissioner Don Buehner
Chairman Pro Tem Nathan Fisher
Commissioner Diane Adams
Commissioner Julie Hullinger
Commissioner Todd Staheli**

NAYS(0)

Motion passes.

- C. Consider a request for a Conditional Use Permit from 'Verizon Wireless' for permission to construct one (1) one hundred foot (100') high co-locatable wireless tower (mono pole

cell tower), to construct a block wall enclosure, and to install related multiple equipment enclosures as a conditional use under Section 10-22-5 of the Zoning Ordinance. The property is zoned M-1 (Industrial), is generally located in the original industrial park on Red Hills Parkway east of Industrial Road (APN SG-IND-P-18-B), and the project is referred to as "**Verizon – UT4 Motor Home.**" Case No. 2014-CUP-011 (Staff – Ray S.).

Ray Snyder presented the following:

The original proposal was for the southwestern corner and now it's for the southeastern corner which does put it closer to the freeway. They are requesting 100' tall. They have prepared photo simulations of the tower. We assume that the photos are to scale. They have given a signal strength analysis. There are minutes from June 10 when we last discussed this item.

Jared White (representative) – I believe the freeway picture is fairly accurate and to scale. If anything it errs in favor of you. There is a Qwest pole that is 130' tall that we looked into but cannot contract with. As far as coverage goes; these towers are capable of getting signal into here (addressing signal strength map) but as we continue to stretch the signals the towers are over capacity. This site increases the density of coverage in that surrounding area and offloads the surrounding three towers.

Chairman Pro Tem Nathan Fisher asked how tall the Qwest pole is.
Jared White responded about 130'.

Commissioner Diane Adams asked what color the pole will be.
Jared White said the pictures are as close as I could get to the freeway. The galvanized steel tends to blend in better. We also go with mono pole instead of lattice because it is thinner. This tower will be co-locatable for three other carriers.

Commissioner Todd Staheli clarified that even though galvanized is best it takes a while to look good.

Jared White said it takes at least 6 months of weathering for the steel to oxidize.
Commissioner Ro Wilkinson said one example of that would be on Dixie Road.

Ray Snyder it's a two-step process: you do the wireless master plan first and the location is a conditional use. You can talk to the applicant about why they chose the area.

Jared White said we can't look everywhere. We have to lease a space and owners don't like the pole in the front of their property. We try to stay out of parking and frontage areas. We planned to be on the west side but had to move to the east because of a power easement. We're not pretending the pole is small. We know it is 100' tall. We try to make it not intrusive. We're not that far away from sites that we already have so the location is key. We want as few towers as possible with the greatest outreach. We're trying to stay in that industrial area so the towers in that area can offload and the signal will be greater for all of those businesses and the freeways.

Chairman Pro Tem Nathan Fisher asked what color the Qwest pole is.
Jared White responded it is a grey white.

Chairman Pro Tem Nathan Fisher said I just pulled up a photo of the Qwest pole and it's not that visible. What's the purpose for lattice?

Jared White said we can build a lattice tower. They look less visible but they do look more industrial. That tower doesn't hold much and doesn't have the structural girth we need.

Chairman Pro Tem Nathan Fisher asked when you collocate will it have more on the pole.

Jared White answered we have lease agreements with other carriers. The tower is structurally capable. They would locate about 15' lower than our equipment.

Chairman Pro Tem Nathan noted that the tower will be more noticeable with co-locators.

Commissioner Todd Staheli asked if there are already other carriers who want to co-locate there.

Jared White responded no and typically you won't because they don't share that information prior.

Chairman Pro Tem Nathan Fisher asked if collocation was possible at Qwest had they not restricted access.

Jared White added that the structure wasn't capable of us locating there either.

Ray Snyder asked the applicant if they had looked at surrounding properties.

Jared White said we did look at some but this owner was the most responsive.

Chairman Pro Tem Nathan Fisher commented that closer to Century Link reduces the visual. It will be very prominent there so close to the freeway but it'll be less obvious there due to the light poles out there. It would be ideal to push it back to Century Link but this may be the best we can do.

Jared White noted that no one is here to oppose me.

Chairman Pro Tem Nathan Fisher countered that the federal statute does aid that. My concern is the look for the City but I also recognize that it is a busy area and an industrial area isn't that pretty to begin with.

Commissioner Diane Adams inserted that as we drive down the freeway you really won't be noticing it and that's the price we pay for relying so heavily on technology. There are much worse eyesores along our freeway.

Commissioner Todd Staheli asked if dropping calls in that area is normal.

Jared White responded that dropping calls is not as much as an issue as data speeds. Every site is driven by demand. The entire area has too much growth and demand for what exists.

Assistant City Attorney Victoria Hales read the legal standards regarding cell towers. You may consider the height, visual concerns such as color, is this the right place or location, do you have enough information about alternatives, and also if there are ways to locate in other areas with similar infrastructure or on top of buildings versus a monopole.

Commissioner Diane Adams asked if anyone wants something other than galvanized steel.

Commissioner Don Buehner added that the more typical the less likely we are to notice it. I think the applicant's knowledge is valid.

Chairman Pro Tem Nathan Fisher asked if Qwest would not allow collocation.

Jared White responded that was correct; their security was too prohibitive.

MOTION: Commissioner Todd Staheli made a motion to approve Item 4C with conditions D

concerning galvanized steel, and the height not to exceed 100', and to include staff comments.
SECONDED: Commissioner Diane Adams seconded the motion.

AYES(6)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion passes

Ro Wilkinson departed at 6:39 pm.

- D. Consider a request for a Conditional Use Permit from 'Verizon Wireless' for permission to construct one (1) one hundred foot (100') high co-locatable wireless tower (mono pole cell tower), to construct a block wall enclosure, and to install related multiple equipment enclosures as a conditional use under Section 10-22-5 of the Zoning Ordinance. The property is zoned C-3 (General Commercial), is generally located at approximately 2014 E +/- Riverside Drive (next to Towne Storage)(APN SG-5-2-28-2306), and the project is referred to as "**Verizon – UT4 Airplane.**" Case No. 2014-CUP-017 (Staff – Ray S.)

Ray Snyder presented the following:

The tower will be located almost in line with the end of the existing Towne Storage building. There is a photo simulation for the 100' tower. We don't know who the future property owner will be of the adjacent parcel. There was also another signal strength analysis submitted.

Jared White (applicant) commented the difference with this pole is that this is a weak coverage area. All towers are designed to offload from surrounding towers. The real problem in this area is that there are not towers. Blue areas are spotty coverage. This will help the "Campus" site but will mainly be for the development they are putting in now. As for the colors – green is good in-building coverage. Yellow is consistent in your car. Blue is likely to have coverage outside. If you're traveling it's more difficult because your signal has to jump towers.

Chairman Pro Tem Nathan Fisher added that this is an area that will become busier and more developed because of the bridge

Jared White noted that's what we're planning for.

Ray Snyder inserted that with the Mall Drive Bridge there are talks of high density residential and commercial in that area.

Jared White added that the current land owner there is also looking for commercial.

Chairman Pro Tem Nathan Fisher asked if that would be an issue for the tower later.

Jared White responded no, it's spelled out in the lease and would work in his favor for his buildings.

Chairman Pro Tem Nathan Fisher countered that if a Lowe's goes in there that would not work well due to how their parking lot would be set up.

Jared White said the topography gets difficult. The way the current owner laid it out, this was the best spot for him. This will also be galvanized steel.

Commissioner Diane Adams asked if this is across from multi family.

Jared White said it is across from office commercial.

Wes Jenkins added that it's commercial right across the street and then Mesa Falls behind that.

Jared White noted that we know our first option is industrial but we're already in most of them.

Chairman Pro Tem Nathan Fisher asked if they could get into the Millcreek Industrial Park.

Jared White said in the next five years we're going to need another tower up there. We don't want to create island sites. We like to build off and step from other towers. We could build down from Washington but the demand is greater here.

Assistant City Attorney Victoria Hales repeated the legal standard and concerns about following federal law about not prohibiting services and not regulating due to concerns about radio frequency. Height, location, and look are appropriate items to look at.

Chairman Pro Tem Nathan Fisher asked if there are any collocating opportunities around there.

Jared White responded not with the height.

Chairman Pro Tem Nathan Fisher asked if an 80' tower would be sufficient.

Jared White said if you want us to we can build 80' but it's not as collocate-able and wouldn't give us as much coverage as we need.

Chairman Pro Tem Nathan Fisher asked if someone would collocate here.

Jared White said as this develops more it is highly likely that this tower will collocate.

Commissioner Diane Adams asked the applicant if there are statistics on how many towers are collocated.

Jared White said I don't have the numbers but most towers have at least two carriers.

Commissioner Diane Adams noted that if most towers have two then they could do the 80'.

Jared White said 80' won't reach as far. If you allow two, 100' towers then we don't need three, 80' towers. Every lease we have has an exit clause that if technology changes we can remove the tower and restore the ground.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 4D for the cell tower and include staff comments and the findings noting that 100' maximum height and monopole style is consistent with the master plan and aesthetics as discussed.

SECONDED: Commissioner Todd Staheli seconded the motion.

AYES(5)

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Motion

ADJOURN

MOTION: Commissioner Todd made a motion to adjourn.

SECONDED: Commissioner Diane seconded the motion.

AYES(5)

Commissioner Don Buehner

Chairman Pro Tem Nathan Fisher

Commissioner Diane Adams

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS(0)

Meeting adjourned at 6:58 pm.